

By Mr. SNOOK: A bill (H. R. 17379) granting an increase of pension to Wesley B. Brown—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolutions of Will F. Stewart Post, No. 80, Grand Army of the Republic, of Uniontown, Pa., protesting against the erection of a statue of Gen. Robert E. Lee in the national grounds of the battle of Gettysburg—to the Committee on the Library.

By Mr. BUTLER of Pennsylvania: Petition of the chief burgess and councilmen of Clifton Heights Borough, Pennsylvania, favoring Senate bill 909, for the extension of the free-delivery service—to the Committee on the Post-Office and Post-Roads.

By Mr. CASSINGHAM: Papers to accompany House bill for the relief of Alexander D. Patton—to the Committee on Military Affairs.

By Mr. CALDERHEAD: Petition of Cigar Makers' Union No. 419, of Salina, Kans., favoring House bill 16457, relating to gifts in connection with the sale of tobacco and cigars—to the Committee on the Judiciary.

By Mr. GRAHAM: Resolution of Local Union No. 95, International Union of Steam Engineers, Pittsburg, Pa., urging the passage of House bill 3076, for an eight-hour law—to the Committee on Labor.

Also, resolution of Keystone Division, No. 293, Brotherhood of Locomotive Engineers, Allegheny, Pa., favoring Senate bill 3560, known as the Foraker safety-appliance bill—to the Committee on Interstate and Foreign Commerce.

By Mr. GREENE of Massachusetts: Resolutions of New England District Lodge No. 7, Boilermakers and Iron-ship Builders' Union, of Boston, Mass., in favor of the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. GRIFFITH: Papers to accompany House bill granting a pension to Wilkerson E. Grubbs—to the Committee on Invalid Pensions.

By Mr. JACKSON of Maryland: Petition of citizens of Cambridge, Md., asking for the passage of Senate bill 909, for the extension of the free-delivery system—to the Committee on the Post-Office and Post-Roads.

By Mr. LACEY: Resolution of the Sioux City Humane Society, protesting against the passage of the bill amending the law in relation to the shipment of live stock—to the Committee on Interstate and Foreign Commerce.

By Mr. LITTAUER: Resolution of Thomas Dickson Division, No. 171, Order of Railway Conductors, Mechanicsville, N. Y., in favor of House bill 15990, known as the safety-appliance bill—to the Committee on Interstate and Foreign Commerce.

By Mr. MARTIN: Resolution of the Bonesteel Commercial Club, of Gregory County, S. Dak., for the opening of the reservation land in Gregory County for homestead settlement—to the Committee on the Public Lands.

By Mr. MOON: Petition of Amos L. Griffith, of Marion County, Tenn., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. PAYNE: Petition of the Woman's Christian Temperance Union of Union Springs, N. Y., to prohibit liquor selling in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. REEDER: Petitions of Methodist Episcopal Church conferences of Smith Center and Kensington, Smith County, Kans., to prohibit liquor selling in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. RYAN: Resolutions of the Medical Association of Central New York, favoring the establishment of a laboratory for the study of the criminal, pauper, and defective classes—to the Committee on the Judiciary.

By Mr. SNOOK: Paper to accompany House bill granting an increase of pension to Wesley B. Brown—to the Committee on Invalid Pensions.

By Mr. SULZER: Resolution of the Medical Association of Central New York, favoring the establishment of a laboratory for the study of the criminal, pauper, and defective classes—to the Committee on the Judiciary.

By Mr. THOMAS of Iowa: Petition of citizens of Spirit Lake, Iowa, in favor of Senate bill 909, providing for the extension of the free mail delivery service—to the Committee on the Post-Office and Post-Roads.

By Mr. YOUNG: Petition of Ellicott Fisher, of Philadelphia, Pa., favoring the establishment of a department of commerce and industries—to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, February 11, 1903.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington. The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. QUAY, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

TRANSCRIPTS OF LAND RECORDS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a draft of a proposed bill to authorize registers and receivers of local land offices to furnish transcripts of their records to individuals, etc., and recommending that it be enacted into a law; which, with the accompanying paper, was referred to the Committee on Public Lands, and ordered to be printed.

INTERNATIONAL PRISON SYSTEMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting a letter from Mr. S. J. Barrows, commissioner for the United States on the International Prison Commission, forwarding a report prepared by Charles Richmond Henderson, D. D., professor of sociology in the University of Chicago, relating to the organization and regulation of modern prison systems of various countries of Europe and America; which, with the accompanying papers, was ordered to lie on the table, and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 7226) to authorize the Pittsburg, Carnegie and Western Railroad Company to construct, maintain, and operate a bridge across the Allegheny River; and

A bill (S. 7159) authorizing the Memphis, Helena and Louisiana Railway Company to construct and maintain a bridge across St. Francis River, in the State of Arkansas.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 6332) granting a pension to Michael Conlon;

A bill (H. R. 7642) providing for the holding of terms of the circuit and district courts of the United States at Kansas City, Kans., and for other purposes;

A bill (H. R. 14845) granting a pension to Margaret Snyder;

A bill (H. R. 15400) granting an increase of pension to Enos Turner; and

A bill (H. R. 15757) granting a pension to Frances C. Broggan.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 16161) granting an increase of pension to Francis A. Treadwell, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. RICHARDSON of Alabama managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 3287) to fix the salaries of certain judges of the United States;

A bill (H. R. 714) granting an increase of pension to Frederick Hart;

A bill (H. R. 1377) granting an increase of pension to Bridget Agnes Tridel;

A bill (H. R. 1482) granting an increase of pension to John A. Smith;

A bill (H. R. 1689) granting an increase of pension to Hiram S. Thompson;

A bill (H. R. 1929) granting an increase of pension to Peter Tuper;

A bill (H. R. 2473) granting an increase of pension to James Billingsley;

A bill (H. R. 3516) granting an increase of pension to Ozra F. Cheney;

A bill (H. R. 3569) granting an increase of pension to Joseph A. Buckholz;

A bill (H. R. 4059) granting an increase of pension to Julia A. Cook;

A bill (H. R. 4807) granting an increase of pension to Thomas Parfitt;

A bill (H. R. 5167) granting an increase of pension to John J. Nowman;

A bill (H. R. 5460) granting an increase of pension to Thomas Sherry;
 A bill (H. R. 6889) granting an increase of pension to Michael Rader;
 A bill (H. R. 7012) granting an increase of pension to Abel Fleming;
 A bill (H. R. 7334) granting an increase of pension to Ira L. Evans;
 A bill (H. R. 9950) granting an increase of pension to Moses Whitcomb;
 A bill (H. R. 10953) granting an increase of pension to John A. M. Seitz;
 A bill (H. R. 11127) for the relief of the Propeller Tow Boat Company, of Savannah;
 A bill (H. R. 11417) granting an increase of pension to Julia Anglada;
 A bill (H. R. 11596) granting an increase of pension to Inez L. Clift;
 A bill (H. R. 11790) granting an increase of pension to Abel Woods;
 A bill (H. R. 12410) granting an increase of pension to Mary Nichols;
 A bill (H. R. 13088) granting an increase of pension to Hiram D. Deming;
 A bill (H. R. 13297) granting a pension to Martin Greely;
 A bill (H. R. 13826) granting an increase of pension to Francis N. Bonneau;
 A bill (H. R. 14120) granting an increase of pension to Sarah A. Leopard;
 A bill (H. R. 14251) granting an increase of pension to Hugh J. Reynolds;
 A bill (H. R. 14388) granting an increase of pension to Graham McClosson;
 A bill (H. R. 14391) granting an increase of pension to Edward Walsh;
 A bill (H. R. 14604) granting an increase of pension to Asa C. Hill;
 A bill (H. R. 14605) granting an increase of pension to John S. Knoop;
 A bill (H. R. 14789) granting an increase of pension to David Brobst;
 A bill (H. R. 14897) granting an increase of pension to Phillip Mooney;
 A bill (H. R. 15064) granting an increase of pension to Frederick Shovar;
 A bill (H. R. 15206) granting a pension to Mary P. Everton;
 A bill (H. R. 15300) granting a pension to Delania Preston;
 A bill (H. R. 15421) granting an increase of pension to Elizabeth Palmer;
 A bill (H. R. 15437) granting an increase of pension to Sarah A. Gerry;
 A bill (H. R. 15438) granting an increase of pension to Thomas E. Peabody;
 A bill (H. R. 15439) granting an increase of pension to John P. Chester;
 A bill (H. R. 15473) granting an increase of pension to Winthrop W. Walcott;
 A bill (H. R. 15571) granting an increase of pension to John Macfarlane;
 A bill (H. R. 15572) granting a pension to Charles W. Bracken;
 A bill (H. R. 15673) granting a pension to Annie E. Doss;
 A bill (H. R. 15870) granting an increase of pension to John Smith;
 A bill (H. R. 16053) granting an increase of pension to Henry P. Reynolds;
 A bill (H. R. 16153) granting an increase of pension to George W. Choate;
 A bill (H. R. 16217) granting an increase of pension to Julia E. Jones;
 A bill (H. R. 16269) granting an increase of pension to Annie W. Coit;
 A bill (H. R. 16272) granting an increase of pension to Enoch Dodd;
 A bill (H. R. 16334) fixing terms of United States courts in Colorado, and for other purposes;
 A bill (H. R. 16356) granting an increase of pension to Benjamin W. Walker;
 A bill (H. R. 16465) granting an increase of pension to William H. Knepple;
 A bill (H. R. 16591) granting an increase of pension to James Mattingly; and
 A bill (H. R. 16602) to extend the time granted to the Muscle Shoals Power Company by an act approved March 3, 1899, within which to commence and complete the work authorized in the said act to be done by said company, and for other purposes.

CREDENTIALS.

Mr. DEPEW presented the credentials of THOMAS COLLIER PLATT, chosen by the legislature of the State of New York a Senator from that State for the term beginning March 4, 1903; which were read, and ordered to be filed.

Mr. QUARLES presented the credentials of JOHN C. SPOONER, chosen by the legislature of the State of Wisconsin a Senator from that State for the term beginning March 4, 1903; which were read, and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. FOSTER of Washington presented a memorial of the Humane Society of Clark County, Wash., remonstrating against the enactment of legislation relative to the interstate transportation of live stock; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Huntsville, Wash., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in immigrant stations and Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Journeymen Tailors' Local Union No. 71, American Federation of Labor, of Seattle, Wash., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Oak Harbor, Wash., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Spokane, Oak Harbor, and Oysterville, all in the State of Washington, remonstrating against the repeal of the present antiscab law; which were referred to the Committee on Military Affairs.

Mr. BEVERIDGE presented a petition of the Central Labor Union of Indianapolis, Ind., and a petition of Local Union No. 277, United Mine Workers, of Turner, Ind., praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

Mr. GALLINGER presented a petition of sundry citizens of Littleton, N. H., praying for the enactment of legislation granting to the States power to deal with intoxicating liquors which may be shipped into their territory from other States; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Daniel Webster Grange, No. 100, Patrons of Husbandry, of Webster, N. H., praying for the enactment of legislation to create in the Department of Agriculture a bureau to be known as the bureau of public roads, etc.; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Brookland Citizens Association, of Brookland, D. C., praying for the enactment of legislation authorizing a loan of \$10,000,000 to the District of Columbia for permanent improvements; which was referred to the Committee on the District of Columbia.

Mr. BURNHAM presented a petition of Lafayette Council, No. 24, Order of United American Workmen, of Hill, N. H., praying for the passage of the immigration bill; which was ordered to lie on the table.

He also presented a petition of Local Union No. 931, United Brotherhood of Carpenters and Joiners, of Manchester, N. H., praying for the repeal of the desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented a petition of Manchester City Lodge, No. 264, Order of B'rith Abraham, of Manchester, N. H., and a petition of the Granite State Lodge, No. 181, Order of B'rith Abraham, of Manchester, N. H., praying for the enactment of legislation to modify the methods and practices pursued by the immigration officers at the port of New York; which were referred to the Committee on Immigration.

He also presented a petition of the Chamber of Commerce of Boston, Mass., praying for the ratification of the Hay-Bond treaty with Newfoundland; which was referred to the Committee on Foreign Relations.

Mr. LODGE presented the petition of Rev. A. J. Marsh and 29 other members of the High Street Free Baptist Church, of Lynn, Mass., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in immigrant stations and Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. DILLINGHAM presented a petition of the Granite Cutters' National Union of Montpelier, Vt., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented a petition of sundry retail merchants of Ludlow, Vt., praying for the establishment of a parcels-post system;

which was referred to the Committee on Post-Offices and Post-Roads.

Mr. WARREN presented a petition of Cheyenne Lodge, No. 89, International Association of Machinists, of Cheyenne, Wyo., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

Mr. CULLOM presented a petition of Lodge No. 375, Brotherhood of Railroad Trainmen, of Chicago, Ill., praying for the passage of the so-called safety-appliance bill; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Lodge No. 157, International Association of Machinists, of Springfield, Ill., and a petition of Carpenters and Joiners' Local Union No. 1087, American Federation of Labor, of Galena, Ill., praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

Mr. HOAR presented the petition of R. P. Cong. of New Galilee, Pa., praying for the repeal of the present Chinese-exclusion law; which was referred to the Committee on Foreign Relations.

Mr. FAIRBANKS presented a petition of the Commercial Club of New Albany, Ind., praying for the adoption of the metric system of weights and measures; which was referred to the Select Committee on Standards, Weights, and Measures.

He also presented a memorial of the Evansville Furniture Company, of Evansville, Ind., remonstrating against the passage of the so-called eight-hour bill; which was ordered to lie on the table.

Mr. MCCOMAS presented a petition of Crown of Israel Lodge, No. 88, Order of B'rith Abraham, of Baltimore, Md., praying for the enactment of legislation to modify the methods and practice pursued by the immigration officers at the port of New York; which was referred to the Committee on Immigration.

He also presented the petition of George T. Gambrell, John W. Waldeck, and 42 other citizens of the State of Maryland, praying for the enactment of legislation to amend the internal-revenue law so as to reduce the tax on distilled spirits; which was ordered to lie on the table.

Mr. FRYE presented a petition of Washington Lodge No. 193, International Association of Machinists, of Washington, D. C., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

PROPOSED INVESTIGATION OF AFFAIRS IN THE PHILIPPINES.

Mr. HOAR. I present a petition of the presidents of 10 colleges and 11 college professors praying that a committee be appointed to inquire into conditions in the Philippine Islands so that the American people may know the exact state of affairs in those islands.

Mr. President, I ask leave to say that these petitions, of which this is one of a great number, represent the desire of a vast number of the highest educational institutions in this country, if their presidents and professors may be taken to represent them, and it seems to me that, without the slightest consideration of the differences of opinion as to the policy which has prevailed in the past in regard to that remote dependency, it would be a wise and admirable thing to establish a commission in which these petitioners themselves, who are men of high character and patriotism, should be represented, who would report to Congress the present conditions.

We are in the habit of granting like requests to persons interested in manufacture, in commerce, or in agriculture, and certainly men could be selected either by the Senate or by the President from these petitioners in whose absolute moderation, calmness, and sobriety, as well as veracity, the whole country would have confidence.

I move that the petition be referred to the Committee on the Philippines.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. SIMON, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 275) for the erection of additional buildings, workshops, prison walls, and wharf at the United States Penitentiary at McNeils Island, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. BARD, from the Committee on Fisheries, to whom was referred the bill (S. 6872) to establish on the coast of the State of California a station for the investigation of problems connected with the marine fishery interests of that region, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 7285) authorizing, empowering, and directing the Commissioner of Fish and Fisheries to establish in the State of Florida, on the Gulf of Mexico, a station for the investigation of problems connected with the marine fishery interests of the region, reported it without amendment, and submitted a report thereon.

Mr. BURNHAM, from the Committee on Claims, to whom was

referred the bill (H. R. 4178) for the relief of Austin A. Yates, reported it without amendment, and submitted a report thereon.

Mr. CULLOM, from the Committee on Foreign Relations, reported an amendment proposing to appropriate \$1,588.24 for full indemnity to the owners of the British schooner *Lillie*, damaged during the course of a disinfection by United States officials near Biloxi, Miss., intended to be proposed to the general deficiency appropriation bill, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, reported an amendment proposing to appropriate \$5,000 for payment to the Italian Government as full indemnity to the heirs of two of its subjects who were riotously killed and to one other who was injured in the State of Mississippi, intended to be proposed to the general deficiency appropriation bill, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. McLAURIN of South Carolina, from the Committee on Claims, to whom was referred the bill (H. R. 7792) for the relief of the legal representatives of John L. Young, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 11205) for the relief of I. R. Harkrader; and

A bill (H. R. 8186) for the relief of John D. Chadwick.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 6540) granting an increase of pension to George W. Richardson, reported it with an amendment, and submitted a report thereon.

Mr. KITTREDGE, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

The bill (H. R. 6516) for the relief of Henry P. Montgomery, surviving executor of Granville Garnett, deceased; and

A bill (H. R. 5070) for the relief of Hamilton M. Sailors.

Mr. KITTREDGE, from the Committee on Claims, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were indefinitely postponed:

A bill (S. 278) for the relief of A. Francis Learned;

A bill (H. R. 1748) for the relief of Julius E. Mugge; and

A bill (S. 3308) for the relief of Zac Hart.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (S. 4858) granting a pension to Mary E. Haren, reported it with amendments, and submitted a report thereon.

Mr. ALDRICH. I am directed by the Committee on Finance, to whom was referred the bill (S. 7301) to further provide for the safe-keeping of public money, and for other purposes, to report it with amendments.

I desire to give notice that at the earliest possible day I shall ask the Senate to proceed to the consideration of the bill.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. BURROWS, from the Committee on Privileges and Elections, to whom was referred the amendment submitted by Mr. PRITCHARD, on the 4th instant, proposing to pay the balance of salaries due certain Senators from the States of Alabama, Louisiana, North Carolina, South Carolina, Mississippi, Texas, etc., due them as Senators in the years 1867, 1868, 1869, 1870, etc., intended to be proposed to the general deficiency appropriation bill, reported adversely thereon; and the amendment was indefinitely postponed.

ELLEN C. ABBOTT.

Mr. BURROWS, from the Committee on Privileges and Elections, to whom was referred the following resolution, submitted by Mr. PRITCHARD December 5, 1901, reported adversely thereon; and it was postponed indefinitely:

Resolved, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to Ellen C. Abbott, widow of Joseph C. Abbott, late a Senator from the State of North Carolina, \$6,543.38, due him as a Senator of the United States in the Fortieth Congress, from the 4th of March, 1867, to the 24th of June, 1868, to be paid from the miscellaneous items of the contingent fund of the Senate.

DORA REVELS LEONARD.

Mr. BURROWS, from the Committee on Privileges and Elections, to whom was referred the following resolution, submitted by Mr. HAWLEY January 21, 1902, reported adversely thereon; and it was postponed indefinitely:

Resolved, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to Dora Revels Leonard, administratrix of Hiram R. Revels, deceased, late a Senator from the State of Mississippi, \$4,876.71, due him as a Senator of the United States in the Forty-first Congress, from the 4th of March, 1869, to the 23d of February, 1870, to be paid from the miscellaneous items of the contingent fund of the Senate.

JOHN POOLE AND OTHERS.

Mr. BURROWS, from the Committee on Privileges and Elections, to whom was referred the following resolution, submitted by Mr. PRITCHARD January 28, 1902, reported adversely thereon; and it was postponed indefinitely:

Resolved by the Senate of the United States of America, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to John Poole, Mrs. Lela Poole Lessford, and to Mrs. Mary Poole Danforth, the heirs of the late John Poole, formerly a Senator from the State of North Carolina, the sum of \$6,543.38, due him as a Senator of the United States in the Fortieth Congress, from the 4th of March, 1867, to the 24th of June, 1868, to be paid from the miscellaneous items of the contingent fund of the Senate.

JOHN S. HARRIS.

Mr. BURROWS, from the Committee on Privileges and Elections, to whom was referred the following resolution, submitted by Mr. CLARK of Montana January 31, 1902, reported adversely thereon; and it was postponed indefinitely:

Resolved by the Senate of the United States of America, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to John S. Harris, formerly a Senator from the State of Louisiana, the sum of \$6,543.38, due him as a Senator of the United States in the Fortieth Congress, from the 4th of March, 1867, to the 24th of June, 1868, to be paid from the miscellaneous items of the contingent fund of the Senate.

WILLIAM P. KELLOGG.

Mr. BURROWS, from the Committee on Privileges and Elections, to whom was referred the following resolution, submitted by Mr. McENERY February 3, 1902, reported adversely thereon; and it was postponed indefinitely:

Resolved by the Senate of the United States of America, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to William P. Kellogg, formerly a Senator from the State of Louisiana, the sum of \$6,543.38, due him as a Senator of the United States in the Fortieth Congress, from the 4th of March, 1867, to the 24th of June, 1868, to be paid from the miscellaneous items of the contingent fund of the Senate.

ADELBERT AMES.

Mr. BURROWS, from the Committee on Privileges and Elections, to whom was referred the following resolution, submitted by Mr. PRITCHARD February 12, 1902, reported adversely thereon; and it was postponed indefinitely:

Resolved by the Senate of the United States of America, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to Adelbert Ames, formerly a Senator from the State of Mississippi, the sum of \$4,876.71, due him as a Senator of the United States in the Forty-first Congress, from the 4th of March, 1869, to the 22d of February, 1870, to be paid from the miscellaneous items of the contingent fund of the Senate.

ESTATE OF MORGAN C. HAMILTON.

Mr. BURROWS, from the Committee on Privileges and Elections, to whom was referred the following resolution, submitted by Mr. CULBERSON March 1, 1902, reported adversely thereon; and it was postponed indefinitely:

Resolved, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to Robert A. Smith, surviving executor of Morgan C. Hamilton, deceased, late a Senator from the State of Texas, \$5,356.16, due him as a Senator of the United States from the 4th of March, 1869, to the 30th of March, 1870, to be paid from the miscellaneous items of the contingent fund of the Senate.

HEIRS OF THOMAS J. ROBERTSON.

Mr. BURROWS, from the Committee on Privileges and Elections, to whom was referred the following resolution, submitted by Mr. McLAURIN of South Carolina March 10, 1902, reported adversely thereon; and it was postponed indefinitely:

Resolved by the Senate of the United States of America, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to J. Caldwell Robertson and Edwin W. Robertson, sole heirs of Thomas J. Robertson, formerly a Senator from the State of South Carolina, the sum of \$6,543.38, due him as Senator of the United States in the Fortieth Congress, from the 4th of March, 1867, to the 24th of June, 1868, to be paid from the miscellaneous items of the contingent fund of the Senate.

HEIRS OF J. W. FLANAGAN.

Mr. BURROWS, from the Committee on Privileges and Elections, to whom was referred the following resolution, submitted by Mr. BAILEY March 12, 1902, reported adversely thereon; and it was postponed indefinitely:

Resolved by the Senate of the United States of America, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to Webster Flanagan, James W. Flanagan, Mrs. Fannie Swan, Mrs. Emma Flanagan, Mrs. Marion Gates, R. B. Flanagan, and Mrs. Laura Stewart, or to their legal representatives, heirs of J. W. Flanagan, formerly a Senator from the State of Texas, \$5,356.16, due him as Senator of the United States in the Forty-first Congress from the 4th of March, 1869, to the 29th of March, 1870, to be paid from the miscellaneous items of the contingent fund of the Senate.

WILLARD WARNER.

Mr. BURROWS, from the Committee on Privileges and Elections, to whom was referred the following resolution, submitted by Mr. PRITCHARD April 11, 1902, reported adversely thereon; and it was postponed indefinitely:

Resolved by the Senate of the United States of America, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to Willard Warner, formerly a Senator from the State of Alabama, the sum of \$6,543.38, due him as a Senator of the United States in the Fortieth Congress, from the 4th of March, 1867, to the 24th of June, 1868, to be paid from the miscellaneous items of the contingent fund of the Senate.

ESTATE OF JOSHUA HILL.

Mr. BURROWS, from the Committee on Privileges and Elections, to whom was referred the following resolution, submitted by Mr. HOAR April 18, 1902, reported adversely thereon; and it was postponed indefinitely:

Resolved, That there be paid out of the contingent fund of the Senate to the personal representatives of Joshua Hill, deceased, late a Senator of the United States from the State of Georgia, \$6,602.79, as Senator from March 4, 1867, the date upon which the vacancy he was elected to fill began, to July 29, 1868, from which date his compensation as Senator began.

ESTATE OF H. V. M. MILLER.

Mr. BURROWS, from the Committee on Privileges and Elections, to whom was referred the following resolution, submitted by Mr. CLAY April 22, 1902, reported adversely thereon; and it was postponed indefinitely:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized to pay to Hooper Alexander, administrator of the estate of H. V. M. Miller, deceased, late a Senator from the State of Georgia, \$6,602.74, due him as a Senator of the United States from March 4, 1867, to July 28, 1868, to be paid from the miscellaneous items of the contingent fund of the Senate.

Mr. BURROWS. I submit a report to accompany the resolutions which have been indefinitely postponed.

The PRESIDENT pro tempore. The report will be printed.

Mr. BURROWS. The Senator from North Carolina [Mr. PRITCHARD], is not present and desires to submit minority views in relation to the resolutions. I trust that that right will be accorded to him at any time he may desire.

The PRESIDENT pro tempore. The Chair hears no objection, and the views of the minority may be submitted at any time.

CHARLES W. CARR.

Mr. MASON. I am directed by the Committee on Claims, to whom was referred the bill (H. R. 14164) for the relief of Charles W. Carr, to report it favorably without amendment. It involves but \$83, and I ask unanimous consent for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay \$83.71 to Charles W. Carr, former postmaster at Englewood, Ill., being the amount deposited by him to cover a deficiency arising in his office in the year 1894, which deposit was made to cover a loss caused by the payment by a clerk of two forged money orders.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE REGISTER OF THE UNITED STATES.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. CLAPP on the 30th ultimo, reported it without amendment, submitted a report thereon, and it was considered by unanimous consent and agreed to:

Resolved, That the Secretary of the Senate be directed to procure for the use of the Senate 2,000 copies of the "Executive Register of the United States, 1789 to 1902," provided the price shall not exceed the sum of \$1.25 per copy.

BILLS INTRODUCED.

Mr. HANSBROUGH introduced a bill (S. 7311) granting an increase of pension to Jefferson Hoover; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 7312) to authorize the abandonment of W street northeast, Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PROCTOR introduced a bill (S. 7313) to provide for the settlement of certain claims of officers and enlisted men of the Army for the loss or destruction, without fault or negligence on the part of said officers and men, of property belonging to them in the military service of the United States; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CLAY introduced a bill (S. 7314) for the relief of the First Presbyterian Church, Dalton, Ga.; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURNHAM (by request) introduced a bill (S. 7315) to amend an act to authorize the establishment of an academy and gallery of art in the District of Columbia; which was read twice by its title, and referred to the Select Committee on Industrial Expositions.

Mr. McCOMAS introduced a bill (S. 7316) to refer to the Court of Claims the claim for the Monocacy; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO BILLS.

Mr. BURTON. On behalf of the Senator from Oregon [Mr. MITCHELL], who is not able to be present on account of illness, I submit an amendment to the general sundry civil appropriation bill.

The amendment, proposing to appropriate \$500 to pay Harry

C. Robertson for extra services performed for the subcommittee of the Committee on the Pacific Islands and Porto Rico, intended to be proposed to the sundry civil appropriation bill, was referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed.

Mr. McCOMAS submitted an amendment intended to be proposed by him to the bill (S. 7142) for the allowance of certain claims reported by the Court of Claims, and for other purposes; which was referred to the Committee on Claims, and ordered to be printed.

MARKING OF GRAVES OF CONFEDERATE SOLDIERS.

Mr. COCKRELL. I ask for the adoption of an order to print additional copies of a report. There have been a great many applications for the document referred to, and it will cost only a few dollars.

The order was considered by unanimous consent, and agreed to, as follows:

Ordered, That there be printed for the use of the Senate 2,000 additional copies of Senate Report No. 2589, Fifty-seventh Congress, second session, being a report to accompany the bill (S. 6486) to provide for the appropriate marking of the graves of the soldiers of the Confederate Army and Navy, and for other purposes.

AMENDMENT OF BANKRUPTCY ACT.

Mr. NELSON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate 1,000 copies of public act No. 62, "An act to amend an act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898.

EMPLOYEES AT MALTBY BUILDING.

Mr. GALLINGER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the engineer at the Maltby Building be paid at the rate of \$1,440 per annum and the three firemen at the rate of \$1,000 each per annum; and that the Sergeant-at-Arms of the Senate be, and he hereby is, authorized and directed to appoint a skilled laborer at the rate of \$800 per annum; the above changes to take effect on the 1st day of July, 1903.

INDIAN RESERVATION LANDS.

Mr. PLATT of Connecticut. I ask that there may be printed as a Senate document the decision of the Supreme Court of the United States in the case of Lone Wolf, principal chief of the Kiowas, and others, appellants, v. Ethan Hitchcock, Secretary of the Interior, and others. It is a very important decision, affecting the title to Indian lands throughout the United States. The copies which can be had from the clerk of the Supreme Court are entirely exhausted, and there is a great demand for it.

The PRESIDENT pro tempore. The Senator from Connecticut asks unanimous consent that the opinion of the Supreme Court which he sends to the desk may be printed as a Senate document. Is there objection?

Mr. COCKRELL. Why not have 1,000 copies printed for the use of the Senate, or does the Senator wish to have copies sent to all the Departments?

Mr. PLATT of Connecticut. I think if it is printed as a document there will be enough copies.

Mr. STEWART. I am afraid not. There is a great demand for it.

Mr. COCKRELL. Let it be printed as a document and let 500 extra copies be printed for the Senate.

Mr. QUAY. I think we had better make the number of additional copies 1,000. It is a very remarkable decision. It is the Dred Scott decision No. 2, except that in this case the victim is red instead of black. It practically inculcates the doctrine that the red man has no rights which the white man is bound to respect, and that no treaty or contract made with him is binding. Is not that about it?

Mr. PLATT of Connecticut. I do not wish to discuss—

Mr. QUAY. I think we ought to have at least a thousand copies of the opinion printed for distribution outside of those for the use of the Senate.

Mr. PLATT of Connecticut. I do not wish to discuss the propriety of the decision at the present time.

Mr. STEWART. I think the Senator from Pennsylvania is mistaken. I think the converse of that proposition is true.

Mr. PLATT of Connecticut. All I ask is that it may be printed because there is such a demand for it. I am perfectly willing that my motion shall be modified so to have it printed as a Senate document, and that 1,000 additional copies be printed.

The PRESIDENT pro tempore. The Senator from Connecticut now asks that the opinion be printed as a Senate document, with 1,000 additional copies. Is there objection? The Chair hears none, and it is so ordered.

RECORD OF DEEDS, ETC., IN INDIAN TERRITORY.

Mr. STEWART submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 5678) "pro-

viding for record of deeds and other conveyances and instruments of writing in the Indian Territory, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment; and the Senate agree to the same.

WM. M. STEWART,
O. H. PLATT,
JAMES K. JONES,
Managers on the part of the Senate.
J. S. SHERMAN,
JOHN F. LACEY,
JOHN S. LITTLE,
Managers on the part of the House.

The report was agreed to.

LANDS IN ALASKA.

Mr. HANSBROUGH. The other day the bill (H. R. 12098) to amend section 1, of the act of Congress approved May 14, 1898, entitled "An act extending the homestead laws and providing for a right of way for railroads in the district of Alaska," was considered by the Senate and the bill was read through. There was a controversy over the proposed amendment. An agreement has been reached as to the amendment, and I ask unanimous consent for the present consideration of the bill.

The PRESIDENT pro tempore. The bill was before the Senate a few days ago as in Committee of the Whole and read at length, and certain amendments to the amendment reported as a substitute by the Committee on Public Lands were acted upon. Is there objection to its present consideration?

Mr. QUAY. I will not object if the bill does not elicit discussion and debate. If it does I shall be compelled to do so.

Mr. HANSBROUGH. I do not believe there will be any debate, Mr. President.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill, the pending question being on the amendment reported as a substitute by the Committee on Public Lands as amended.

Mr. HANSBROUGH. I have an amendment to offer to the amendment. On page 2, line 7, after the word "Interior," I move to strike out the remainder of the amendment down to and including the word "district," in line 11, and to insert:

And no indemnity, deficiency, or lien land selections pertaining to any land grant outside of the district of Alaska shall be made, and no land scrip or land warrant of any kind whatsoever shall be located within or exercised upon any lands in said district.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

STATEHOOD BILL.

The PRESIDENT pro tempore. The morning business is closed. The Calendar under Rule VIII is in order.

Mr. QUAY. I move that the Senate proceed to the consideration of the statehood bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

Mr. MORGAN. Mr. President, when I was taken off the floor yesterday by an adjournment, I was mentioning the names of some of the prominent leading Indians in the United States who had participated in the great wars between them and the white people and also in the making of the 365 treaties that were ratified by the Senate before we changed the law in respect of dealing with these Indians in their tribal relations.

I had also asserted, and I think established, that every one of those wars on the part of the Indians had originated in an alleged breach of faith on the part of the United States toward them, guaranteed in those treaties.

I had also alluded to the fact, and established it by authority and by incidents which I read at my desk, that the characteristics of all of the tribes in the United States in their tribal actions were those of sincerity and honor in dealing with their enemies, whether they were white people or whether they were other bands of Indians.

The incidents which I cited showed that they were a chivalrous race of men, strong in their manhood, fertile in their fancies, eager in the pursuit of what they conceived to be their rights, and indomitable in their perseverance in the prosecution of their rightful demands as they understood them.

They were also a reverential people. There was not a band of Indians in the United States east of the Mississippi River of whom we have not very distinct records of the fact that they held themselves responsible to a superior being, the Great Spirit, as

he was called. It seemed to be an impression that they had everywhere, under all conditions, in every part of the country occupied by them, that there was a ruling spirit which was dominant over the affairs of men, both in their individual and in their national capacity.

They did not derive that impression from us, Mr. President. We found it here when we first reached these shores, and there is not a writer who speaks of any communication with the Indians who does not give instances in which in the most solemn manner they avowed their responsibilities to this high authority.

That authority, the Great Spirit, Mr. President, taught them uprightness of conduct in their dealing with their fellow-men, and they abominated theft, they punished it with ignominious punishment, whether it was private or whether it was public; and as to faith-keeping in respect of treaties, there was no people I ever read about who had a higher regard for national obligations and duties in the maintenance and observance of their treaty engagements.

Mr. President, it occurs to me that even the Senate of the United States might learn some lessons of value in respect of the obligations of treaties and in respect also of the solemnity that ought to attend their ratification and the duty we owe not to our country alone but the nations of the world in maintaining a high attitude in respect of treaty making and the careful consideration of subjects that enter into treaties with foreign countries.

I had referred to the fact that a treaty is an act of legislation between two countries, in which the Senate and the President participate as a peculiar tribunal, the Senate acting by a majority of two-thirds, and not without such a majority, in the ratification of the treaty, and that the other country acted according to its laws or constitutions, if it has constitutions; and that the two bodies, one foreign to us, the other peculiar under our Constitution, were the enactors of the supreme law of the land, the law that would ride down State constitutions, and so decided by the Supreme Court, and the law that is preeminent over all laws previously enacted with which they come in conflict, the effect of the treaty, as decided by the Supreme Court, being to repeal acts of Congress antecedent to its ratification which stand in the way of, or which contradict, or in anywise impugn the treaty itself.

I was referring to the distinguished men amongst the Indians who had entered into these engagements and who had defended their rights under them with arms. I mentioned the fact that they had no historians except ourselves, and we not being very much impressed with a sense of friendliness and love toward them after the many barbarous and savage wars which were conducted in this country, our own historians must give at least an account that we can afford to accept when they set forth, as they do on almost every occasion, the national virtues and the private virtues of this large body of men whom we have now swept out from the coast of the Atlantic back into the deserts of the West, not leaving them a place where they have a foothold, so far as I remember, except in one place, and that is a reservation in the State of New York for the Seneca tribe. Over that tribe we are now having litigation in the courts as to what their rights are, and we are legislating in respect of that tribe, so as to dispose of lands that we have conceded to them, without even consulting their wishes.

Now, Mr. President, the historians have dwelt upon this subject to such an extent that the names I will read from the list which I happen to have before me will indicate to every mind familiarly the importance of the men who have conducted Indian affairs in behalf of the Indians in the United States for the last three centuries.

Old Jethro, well known to the people of the Northwest.

Keokuk, equally as well known, a man of great ability and majestic character.

Kastaloge, another prominent man.

Logan. Who has not heard of Logan? What schoolbook history in America does not speak in the praises of Logan as a man of great ability and noble character and bearing, and one who, in his speeches, taught humanity, if he did not even teach Christianity, to the men who were dealing with him?

Colonel Lowry, an eminent Cherokee, whom I happened to know when I was a child, a man who had the reputation of great ability and excellent education.

Massasoit.

McGilvary.

Metacomet.

Miantanomah, for whom we have named one of our war ships.

The McIntoshes.

McQueen.

Musculatubee, the grand Choctaw chieftain.

Niniquet.

Opikancano, one of the leading men who used to pitch his tent upon the ground where we are now assembled in the Senate.

His name has not lapsed so that the world has forgotten it. We understand the virtues of that great and powerful man. He is being celebrated now in some of our most acceptable historical novels as one of the leading characters among the Potowomacks.

Path Killer.

Pawgas.

Passacus.

Powhatan.

Pontiac.

Pocahontas, whose blood is now claimed as a sort of type of nobility among the first families of the grand old State of Virginia.

Red Jacket.

Major Ridge, of the Cherokee Nation, a man who was powerful and prominent in the great wars of the Cherokees, and who was the friend of the white people in those wars, even with the Creek Indians, their neighbors.

John Ross, an educated, refined, cultivated man, whom I also had the pleasure of knowing when I was a boy, who reared an elegant family of people, educated them in the highest style at different places in the United States as far back as 1832, 1835, and 1836.

Old Roundhead, who was another Cromwell.

Sussacus.

Shingis.

Sibone.

Tammany, for whom a great political society in the United States has been named, with its sachems and its other officials with Indian titles.

Tecumseh, of whom I have already placed incidents in the RECORD.

Weatherford.

White Thunder.

Micanopy.

Osceola.

David Vann.

Geronimo, to whom our Lieutenant-General is indebted for the brilliancy of his career in history.

Chief Joseph, of the lava beds.

Sitting Bull, who must be admitted to have been a great strategist and an able general.

Rain in the Face, one of his chief lieutenants.

Colbert, who had written his name upon the rocks of the Tennessee rivers at the shoals, about which we know so much and about which we have had so much legislation in this body and elsewhere.

McAllister, for whom an important mining town in the Choctaw Nation is named, a great merchant and a gentleman in every respect.

Quana, a man who is commanding now the last remnant of the tribe of Comanche Indians, of which he was, I believe, the last chief in Texas.

Tustenreggee, a great Seminole warrior.

I now turn to another department—those lawyers of high distinction, Pleasant Porter, now belonging to the Creek Indian tribe in that nation; Elias Boudinot, whom we have known familiarly in these legislative Chambers, and R. B. Owen, well known to the Supreme Court of the United States and also to the Senate and House of Representatives.

I merely refer to these, Mr. President, as leading characters, distinctive men, but not all the distinctive men of the Indian tribes, by any means, to show that the Indians of all the great tribes in this country have been progressive and, at the same time, conservative men. If we had acted toward them as they claim to have acted toward us, in perfect good faith, much bloodshed would have been spared, rapine would not have occurred, and money would not have been expended in millions that we have wasted upon the Indian wars.

Mr. President, dealing with men like these, the question arises, What particular feature of our policy is it that they have antagonized in this way? Admitting, as we are bound to admit, that their antagonisms have been in good faith, because they have been fought out in front, and they have been fought out to the bitter end, what particular point of difference has there been between us and all these tribes? They allege violation on our part of our treaty obligations made with them, and I think I might easily challenge any gentleman in the Senate to-day to point out a single instance in which a war has been commenced by any Indian tribe against the people of the United States unless it was upon the allegation that we had violated our treaty engagements with them and that they were set at liberty to make such war as they were able to make.

Such men as I have mentioned, had they been possessed of the resources of the white man in education, in arms, in money, in food products, and such as that, would never have yielded all this vast region of country to us and have gone down until now the remnants of ten or twelve of the most noted tribes are collected in

what we call the Indian Territory, in the Cherokee Nation, or just to the north of it, in a corner of that region of country. Go into that part of the country and you will find there men who represent these nations, each one maintaining his distinctive title to the honors of his race, and they are engaged in the pursuit of agriculture and are prosperous.

One of the richest nations in the world per capita is situated in that northeastern corner of the Indian Territory. They have more money in the Treasury of the United States and in the value of their lands per capita than any people in the world. They have husbanded what they had as well as they could, and they have it now to rely upon for the maintenance of a glow in the embers so rapidly dying out through which their nations are being lost.

Take that grand old Indian whom we call Split Log, who is well known here. I believe he is a Delaware Indian. I forget his precise tribal connection. That man had a piece of land somewhere adjoining Kansas City and sold it for a considerable sum of money. He went down into this corner of the Cherokee Nation of which I speak with the remainder of his band, and there he turned to building a railroad.

Out of his own resources he built a railroad that I am told is about 100 miles long and perfectly equipped. Split Log has told me himself that he has machine shops for the repair of the machinery of that railroad which he built or had built, which are entirely run by Indians. He would not admit white men to go among them.

We see, Mr. President, in characteristics like these great capacity for good, and yet we see that these very people have been driven from their lands in every section of the country, until nothing remains of them except the memories that have been preserved in the names of the streams and the mountains. They implanted those beautiful names upon this continent and we all take pride in them.

We, Mr. President, have had our wars with each other of the most terrific character, and those wars arose out of alleged breaches of Constitutional rights, not treaty rights, but Constitutional rights. They even brought forth amendments to the Constitution of the United States at their close. In the fourteenth amendment there is the following:

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

The Supreme Court decided that this applied only to negroes, and not to Indians, and great joy came to the States that held a majority in the Senate for the new company which they found in their citizenship, as it would seem from the exclusion of these Indians as being unfit for these great privileges and the admission of negro slaves to these high privileges.

Now, read by its four corners, the fourteenth amendment in the provision that I have quoted refers to "all persons born or naturalized in the United States;" but even our great Supreme Court found reasons for saying that that did not include the Indian tribes, and yet the Indians were born in the United States and they were subject to our jurisdiction—more subject to our jurisdiction in practice than any people have ever been.

We have enacted laws from time to time to confine the Indians in prison bounds on their reservations and to make it a highly penal offense that they should break away from their reservations and go out and exercise the liberties of citizenship. This is surely subjecting them to our jurisdiction. If they were so subject, then by the decree of the Supreme Court, for I can not call it a judgment, Indians can not be persons "born in the United States."

They must be things that were not born, but grew up like evil weeds.

No Indian court would ever have recorded such a decree under such a constitution against the white people or in favor of the negroes.

They are, in fact, incorporated in the bosoms of various States, and some of the States have been sufficiently kindly and indulgent to them to permit them even to vote. But, Mr. President, it was decided that the fourteenth amendment did not apply to them, because they were Indians. They are not citizens of the United States, and we have recently passed an enactment in the Dawes bill, and also in another bill, making all the Indians who select lands in severalty citizens of the United States and of the State in which they reside.

The Indians by and large in the Indian Territory have been made citizens of the United States by an enactment of Congress. So there are large bodies of them who are not recognized as citizens of the United States, yet they are subject to our jurisdiction and were born and raised in this country.

They came here, or were created here, before our fathers came; they occupied this country under a title which was derived from the Great Creator of the heavens and of the earth, but we denied

it, and we reduced it to a mere right of occupancy, and we reduced them to a condition very far beneath that of the subjects of a monarchy, very far beneath even that of the free negroes who were imported as slaves from Africa and had been emancipated in the various States. We have degraded the Indians by every possible act that we could perform, and we have done it with injustice. There is no justice in it; there never was any justice in it. But that is their situation now.

Now, while we are pursuing this course toward them, Mr. President, we turn to the Indians who were in Arizona and New Mexico at the time we made the treaty of Guadalupe-Hidalgo and the subsequent Gadsden purchase treaty. We found them there; they were citizens of Mexico; they were voters in Mexico when they resided within States and many of them resided within Sonora.

We took them in that plight and attitude in which we found them, and we stipulated with the Mexican Government, a republic, and the Mexican senate or legislature ratified the stipulation, that they were citizens of the United States if they chose to be such simply by remaining in the Territory. So they are still citizens of the United States.

Thus the Arizona and New Mexico Indians stand upon a footing distinct from those who are excluded from the benefits of the fourteenth amendment by the decree of the Supreme Court. Our treaty obligation with them, therefore, must rise, if possible, even to a higher grade and degree of obligation than with the general mass of the Indians with whom we made treaties, afterwards disregarding them and driving them across the Mississippi or else into extinguishment.

I am here, Mr. President, for the purpose of asserting these treaty rights and insisting that the Senate of the United States shall respect them. I am aware, sir, that I am here in an atmosphere—I do not speak of the Senate particularly—but an atmosphere that pervades all the country, which is getting more and more tainted with the conception that a treaty, like a fort, is something that is made to be destroyed if it becomes inconvenient, something that is made to be broken, something that is made to be avoided and not observed.

One of the leading newspapers in Philadelphia, which has had some very earnest, and doubtless conscientious, views about a matter that we have been negotiating for some time, speaking of this subject, says:

[Philadelphia Inquirer.]

BUILD THE CANAL FIRST AND VOTE AFTERWARDS.

Here are some extracts from a letter signed by a correspondent, who describes himself as a Western lawyer, which appeared yesterday on the editorial page of a New York newspaper, and which are reproduced as an indication of the drift of public sentiment on the important subject to which the letter relates. The writer said:

"All the so-called Republics of Central and South America are under the deepest obligation to us for preventing European aggression upon their territory. Common decency would require Colombia to give us freely the narrow strip of land we ask. But for the announcement of President Monroe and our readiness to stand by his doctrine, the whole southern continent would long ago have been colonized by European powers. In return for this protection, Colombia is now attempting to 'sandbag' us."

"We have assumed a species of sovereignty of these countries, and as long as they profited thereby they have gladly acquiesced, and it seems to me that we would be morally justified should we begin the canal at once, using such force as may be necessary, and submit the question of damages to some respectable tribunal, such as the one at The Hague, taking into consideration as an offset the benefits derived by Colombia from the construction of the canal; in short, exercise a sort of eminent domain over that territory."

This very well agrees with the opinions upon this question which are entertained by the Inquirer and which it has more than once, and no later than this week, taken occasion to express.

It is of momentous importance, not only to the United States, but to the whole world, that the isthmian canal be constructed along the best route available. Now, the great superiority of the Panama route over that by way of Nicaragua is not seriously disputed by any honest and instructed person, and it is intolerable that the rapacity or the ignorance or the merely mulish obstinacy of such a State as Colombia should be permitted to prevent the realization of a project in which all civilization is interested.

Individuals are not allowed to block the path of public improvement in the name of their rights, and the time has come and the occasion has arisen to apply to the obstructive government the same principle which is applied to the obstructive property holder, the principle that the interests of the majority must prevail.

It is reported now that the President is about to abandon negotiations with Colombia, giving his reasons to Congress in a special message, which is expected to be interesting, and that he will then turn to Nicaragua in compliance with the terms of the law under which he is acting. It is possible that Nicaragua may prove no more amenable to right and reason than Colombia. And then there is Costa Rica, which also must be reckoned with.

Difficulties may be encountered there. Suppose it proves no more practicable to arrange satisfactory terms for a Nicaragua Canal than it has been for one by way of Panama? Is the United States prepared to give the whole thing up?

No one will say so, and thus there is seen the possibility that the canal may have to be built in any case through the exercise of a superior force and through the denial of the right of an unprogressive government to obstruct the movement of civilization.

There is a good deal of nonsense talked about the inviolability of the rights of a sovereign State. Those rights depend upon consent, and may be abrogated morally by the manner of their use, and if it be objected that it is wrong to use force, the answer is that it is upon the use of force that the whole fabric of civilization is established.

Mr. President, teachings like that cause men of wisdom and

prominence and power, to say nothing of other men and the youth of the country, to feel that we have no obligations of honor in respect of making or keeping our engagements, and that whoever stands in the way of the desires or of the covetousness of the United States must give way.

It must be a low state of public opinion that seems to justify us or this great newspaper in the advocacy of doctrines like these, and treaty obligations are of no worth whatever if they are entered into under such conditions as are here mentioned, and with such reservations as are here alluded to—the reservation of the right of seizing a country without any treaty, or, after we have made a treaty, of putting our own construction upon it and doing what we please about it. We are admonished that the American system and American sentiment require that we shall push our adventures to any extremity, justifying the result by the supposed necessity.

I protest, Mr. President, against any such looseness of public opinion, and I protest against any such looseness of construction of our international duties and of our treaty engagements. Our treaty engagements made with Mexico in behalf of these Indians and in behalf of the Mexicans who were there at the time, are as solemn as any the Government of the United States ever entered into. They are plain, unquestionable, and are entitled to our respect; and the enforcement of them is all that is demanded in the bill that is before the Senate. They were not to be construed according to our caprice or our advantage.

I had intended, Mr. President, to address my remarks to some other propositions in connection with this subject, which are appropriate and very closely akin to what is now being considered, but I do not wish to excite any feeling or arouse any unpleasant sensibilities by reference to other parts of our history.

I will remark, however, that the people of the United States to-day are in an attitude of extreme delicacy, and I may say of extreme danger, lest we shall be induced by unwise counsels to convert ourselves into a nation of conquerors, draw the sword, fling away the scabbard, and march out among the nations of the earth, taking what we choose to appropriate.

We have next to us here the island of Santo Domingo, with two governments established, two Republics, which we have recognized and with whom we have treaties. The constituency of those Governments comprise as low a character of people as exist anywhere in the world except at Panama. Those people are the lowest.

It is asserted, Mr. President, upon what I think is good authority, for I have seen it repeated time and time again and never denied, that the people of that island, particularly those of Santo Domingo, are so depraved that they still maintain the practice of cannibalism.

They rise from that low degradation, until the upper classes there are considerably educated and somewhat refined; but that Republic represents the whole of those people, and in making a treaty with that Republic all of those people, by the negotiations of their representatives, have entered this Chamber upon their proposition for the ratification of treaties; we have conferred with them, and we have treated with them in making the supreme law both of Santo Domingo and of the United States.

Having done that, Mr. President, with people such as I have described and whose characteristics are well known, or better known to the Senate than they are to me, why is it that we disdain to execute a treaty that we have already made with Mexico because some of her population are said to be of low caste, ignorant, and untaught in the English tongue, uneducated in the knowledge of our institutions after sixty years of kindergarten instruction?

We decline to comply with and to execute solemn treaties we have made with Mexico upon grounds of this kind. Why did not such considerations enter at once and in the first instance into the making of the treaty with such people? Why did we not know that fact and ascertain and act upon it when we solemnly agreed that these men, brought in by the treaty of Guadalupe-Hidalgo and the Gadsden treaty, should not only be citizens of the United States, but that they should be incorporated into the American Union as States? That is the meaning of it. Why did not we consider all this at that time? The facts were before us.

But, then, Mr. President, we were in a state of agitation such as we are having now about other transactions with which we are connected that did not furnish to us a convenient opportunity for proper deliberation. Perhaps if we had thought the thing over more maturely we would not have admitted those people by solemn covenant into the rights of statehood; but we wanted that area through Arizona for the purpose of carrying, as we supposed we could do, a railroad between San Francisco and the eastern parts of our country, around the lower borders of the great mountains there, upon a plain.

That was our chief motive for it. We did not want to buy those arid deserts, of which we then knew nothing as to their power of production in agriculture. We did not even know of

the mines of great treasure that were hid away in their mountains. But we wanted a railroad route, and we pressed the subject earnestly, and with a proposition to Santa Anna of \$10,000,000, with which he expected to make himself the Emperor of Mexico.

The hasty action we took at that time is now repented of by the Senators who oppose statehood. Do they say we ought not to have made that treaty? That would impeach the treaty. Do they say these people are worse off now than they were at the time we took them in and made them a Territorial government? That would impeach the Territorial government and the wisdom of Congress. What do they say?

They say, not that those people have degenerated, but that after sixty years of trial they have not yet become fit for American citizenship in its full plenitude, citizenship of the United States, and also citizenship of a State, which is quite a different matter from that of citizenship of the United States—a much more important one to the individual man. That is the attitude of Senators.

Now, Mr. President, we ought either to cede these lands back to Mexico and give the people who occupied them at the time we acquired them the right of representation in Sonora and in the Republic of Mexico which they then had, or else we ought to obey our treaty and admit them into the Union as we promised to do, and give them the benefits of statehood.

Senators have said that when you have done this the act is irrevocable, and therefore it must not be done; that we must wait for a time—an indefinite number of years—before we shall get our consent that we will comply with our obligation made in 1848 and 1853.

We must wait upon it. How long does it take an honest man to comply with his contract? I need not ask any other question than just that to characterize this proceeding. Why did we make the contract if we did not intend to keep it? Have we kept it? No. According to indications here now we do not intend to keep it. We stand here and we impeach the honor of our own Government by claiming that it is a present duty to nullify—not to repeal, not to abrogate, but to nullify—a treaty we made in 1853, giving to these people positive and distinctive rights which we have continuously from that time to the present refused to them.

And yet every political party in the Union, when it has met in its quadrennial convention, has committed itself to the immediate admission of these States into the Union, but when they come to the test they find excuses on this side and the other for not having complied with their requirements.

I have argued all the excuses that have been urged, so far as I think it proper or necessary for me to do so, the arguments really having been exhausted by gentlemen on the other side and on this side of the question, for the arguments on the other side of the question have been of such a character that they have answered themselves, and need no reply. They come down now to the great moral proposition that some few of the people in Arizona and New Mexico are Mormons. That is a very striking argument when taken in connection with the fact that one of the twelve apostles, I think it is—is not Mr. Smoot an apostle?

Mr. KEAN. Mr. Smoot is, I believe.

Mr. MORGAN. Yes, one of the twelve apostles of the Mormon Church has been elected and certified to this body as a member of it. Mr. Smoot is a Republican.

I would never think, Mr. President, of opposing Mr. Smoot's admission into this body because he is one of the apostles of the Mormon Church or because he is a Republican. I believe if I had my choice of objections I would put it on the fact that he is a Republican, for religion in this country is protected by the Constitution, is intended to be free, provided it is not a cover for crime.

I will read something about religion in another quarter of America. I read from a concordat that is made an organic law:

ART. 34. A marriage contracted in conformity with the rites of the Catholic religion annuls ipso jure a purely civil marriage previously entered into with another person.

ART. 35. For purely civil effects the law recognizes the legitimacy of the children conceived previously to the annulment of the civil marriage, in accordance with the provisions of the last preceding article.

ART. 36. The man who, after having contracted a civil marriage, afterwards marries another woman according to the rites of the Catholic Church is required to provide subsistence to the woman and his children by her until she marries canonically.

If I had found that provision in the constitution of Mexico and happened to be in the Senate of the United States, I never would have voted for the admission of any part of Mexican territory into this Union subject to that provision.

Let us compare that with the Mormon doctrine. What is it? Here are a man and a woman who have united themselves to each other according to forms of law in the United States, a civil marriage, or who have had the ceremony performed by one of the bishops, we will say, of the Episcopal Church or of the Methodist Church, or by one of the greatest ministers of the Presbyterian

or the Baptist Church, and he read in the service which was performed on that interesting occasion, "whom God hath joined together let no man put asunder," as an admonition drawn from the sacred Scriptures, to stand as a warning to nations and to men that that sacred tie, bound at the altar, was not only respected of all men and of the angels in heaven, but that none of the powers of earth or hell should prevail against it.

There is no relation that belongs to any individual in society, I care not where he may be, that is so delicate, so necessary, so important, and so inviolable as the marriage contract voluntarily entered into by two persons capable of making it. Yet we find this act incorporated into the organic law of a republic, whereby it is stated:

A marriage contracted in conformity with the rites of the Catholic religion annuls ipso jure a purely civil marriage previously entered into with another person.

They may have been married elsewhere, or in that country by a civil officer, and yet when they approach the country where this law is paramount and is organic, they find that it annuls the marriage because it was not performed by a Catholic priest.

Then the law goes on to prescribe what shall be the fruits of this destruction of the contract, and makes a disposal of the family and of the children whenever either of those parties, for any reason whatever, chooses to say to the other, "Depart, for we stand here in the presence of a supreme law of a Republic which annuls the marriage between us. I propose to marry another woman," says the man, or "another man," says the woman, "and as for these little children of ours, we turn them over to the tender mercies of this law."

Mr. President, we are making treaties all around. I mentioned the treaty we have with Santo Domingo. We have treaties with Cuba. If such a law as I have quoted to-day was the organic law of Cuba, would she stand any chance of having a treaty ratified with her until she had repealed that law? Gentlemen speak of Mormonism, which is intended in its worst feature to spread the rights of matrimony over a number of females included in a family, not to destroy matrimony by an organic law that dissolves the marriage and sets the parties free from each other and bastardizes their issue. I will not ask you which is the worse system.

We are very anxious now to make a treaty with a country that has this provision in its organic law. We are anxious to get the exclusive control of a strip of territory in that country for purposes of our own. We are anxious that we shall have the right of carrying into that country laborers and engineers and officers and citizens who may desire to do business there, and yet when they arrive on that land, if we shall succeed in getting a foothold there, they are confronted by that law.

And while we are pressing with might and main every energy of this great Republic to accomplish these results, and while the President of the United States knows that he will be encountered with this act when he does accomplish this purpose, we go ahead with our treaty making.

And what do we intend when we have made such a treaty? Do we intend to submit to this law? We intend to put the heel of contempt upon that law and trample it under foot, and yet it is the organic law of Colombia. We are treating with these people with the intent and purpose of destroying that law without saying a word about it, or else we are treating with them under circumstances that will disgrace the United States.

I would not make a treaty with any nation that exists in this world to acquire temporary or permanent control of any part of its territory under the jurisdiction of the United States if that jurisdiction is to be exercised in conformity with that infamous statute. How did that get to be a part of the law of Colombia? By a concordat, which I hold in my hand, signed in 1888 by the President of Colombia and by Pope Leo XIII of Rome. Why was it that a law of that sort was imposed upon the people of Colombia by her authority?

Sir, do we forget the strife between the Church party and the Liberals in Mexico through which they had 62 Presidents in fifty years, with one continual uproar of insurrection, turmoil, and bloodshed, until a full-blooded Indian, Juarez, born in Guadalajara of a common Indian family, took up the task of expelling the power that had produced this commotion in Mexico, confiscated their vast estates accumulated at the expense of the Mexican people and Government, and drove the Jesuits and other orders out of that country?

He succeeded in his grand work, but he did not succeed until France and Austria had united their forces for the purpose of sustaining that church party in the domination of Mexico, out of which grew the empire of Maximilian, and were driven from Mexico.

This same war has been waged in every part of South America. It exists to-day in Venezuela, and it exists in a subdued form in Colombia. Recently it was flagrant and bitter. To-day it is

smoldering in Colombia, ready to be fanned into a flame when opportunity offers.

Since 1898 Colombia has had no Congress. She has been at war with her own people, the church party arrayed on one side and the liberals on the other; and the bone of contention, the great controversy between them, has been these infamous three articles which I have just read.

In addition to those there are others almost quite as bad. Article 28 provides:

The Government shall return to religious bodies such of their sequestered property as has no distinct destination; but if the owner does not come forward, or if he fills no ecclesiastical office, it may be sold and the proceeds applied to pious and benevolent objects, according to the most pressing needs of each diocese, the proceeding in such cases to be in accord with the ecclesiastical authorities.

The property of the church that had been confiscated in these wars Colombia agrees in this concordat shall be sold, and the proceeds shall be applied by the Government to what they call "benevolent purposes," under the direction of the priests.

I turn back to articles 11 and 12:

ART. 11. The Holy See will lend its support and cooperation to the Government for the establishment in Colombia of religious institutions, giving preference to those for charitable purposes, for missions, for the education of youth, and for general education, and to other works of public utility and beneficence.

ART. 12. Public education and instruction in universities, colleges, schools, and in other centers of instruction shall be organized and directed in conformity with the dogmas and moral teachings of the Catholic Church.

Article 13 provides:

Consequently, in such centers of instruction the respective diocesan bishops, either by themselves or by special delegation, shall exercise the right, in whatever concerns religion or morals, to inspect and revise the text-books in use in the same.

The archbishop of Bogotá shall prescribe the text-books relating to religion and morals to be used in the universities; and to insure uniformity of teaching on those subjects, said prelate, in connection with other bishops, shall choose the text-books for the other schools of official instruction.

The Government shall see that no lectures are delivered on literary, scientific, or general subjects in any branch of learning that inculcate ideas contrary to Catholic dogmas or calculated to lessen the respect due to the church.

I will mention in this connection that the Government of Colombia, in immediate acceptance and ordination of this concordat, enacted a series of very harsh laws for the purpose of punishing all persons who might in any respect or at any time venture an opinion which was considered to be a criticism upon the priesthood in Colombia or upon the dogmas and ordinances of the Catholic Church. These statutes are there. Any Senator can read them who wants to look at them.

ART. 14. If, in spite of the orders and precautions of the Government, the moral and religious teaching (in universities, colleges, etc.) shall not conform to Catholic doctrines, the respective dioceses may withdraw from the offending professors and masters the privilege of teaching in such branches.

I read from article 17:

All persons professing the Catholic religion desirous of contracting marriage, should have the ceremony performed according to the rites of the church.

The civil effects of marriage, in respect to the persons and property of the contracting parties and their descendants, can only be secured when the marriage is performed in accordance with the prescriptions of the council of Trent. This celebration shall be witnessed by the functionary who may be designated by law for the sole purpose of verifying the entry of the marriage in the civil registry. But in cases of marriage in articulo mortis, when this formality might be difficult of observance, it may be dispensed with, and other proof substituted.

It being the business of the contracting parties to secure the intervention of the civil functionary for the registry, the duty of the clergyman is limited to an admonition as to the requirements of the civil law.

Article 18:

In order to give marriages celebrated at whatever period, according to the prescriptions of the Council of Trent, civil effect, suppletory evidence of ecclesiastical origin will be given preference.

Article 19:

Matrimonial causes affecting the married relation, cohabitation, and the validity of espousals pertain exclusively to the ecclesiastical authority, the civil consequences of marriage to the temporal.

Do we propose that these laws shall affect our people in any port of Panama that we may occupy under concessions from Colombia?

That is what we agree to, if no exception is made that will secure to them a clear exemption from this concordat.

What have we done in the pressure for treaty relations that we have heretofore sought to prevent this degradation? I am not speaking of the treaty before the United States Senate now; I am speaking of that treaty which Mr. Hay pledged Mr. Concha in 1892 he was ready to sign, by command of the President, and Mr. Concha asserted he was ready to sign. I will put those agreements in my remarks without stopping to read them. That is the treaty of which I am speaking, and it did not save us from this concordat.

The matter referred to is as follows:

LEGACION DE COLOMBIA.
Washington, D. C., April 18, 1902.

SIR: Confirming the conclusions reached as the result of the conference held between yourself and Mr. Cromwell and adopting, as far as practicable, your valuable suggestions, I beg leave to hand you the concessionary

convention or treaty (in Spanish and in English), embodying the amendments agreed upon in the conference referred to.

My previous communication of March 31, 1902, proposing the concessionary convention or treaty in behalf of my Government, and the expository communications of myself and Mr. Cromwell, under the same date, apply equally to the inclosures.

Awaiting the pleasure of your excellency, I have the honor to renew the assurances of my high consideration.

J. V. CONCHA.

Hon. JOHN HAY,

Secretary of State of the United States, Department of State.

DEPARTMENT OF STATE,
Washington, April 21, 1902.

SIR: I have the honor to acknowledge receipt at your hands of a communication dated the 31st of March, 1902, and another of the 18th of April, inclosing a proposal of the Republic of Colombia for a concessionary convention or treaty between the Republic of Colombia and that of the United States of America respecting the completion, maintenance, operation, control, and protection of an interoceanic canal over the Isthmus of Panama.

I am directed by the President to inform you that I shall be ready to sign with you the proposed convention as soon as—

First. The Congress of the United States shall have authorized the President to enter into such an agreement; and

Second. As soon as the law officers of this Government shall have decided upon the question of the title which the New Panama Canal Company is able to give to all the properties and rights claimed by it and pertaining to a canal across the Isthmus and covered by the pending proposal.

Accept, sir, the renewed assurances of my highest consideration.

JOHN HAY.

Señor DON JOSE VICENTE CONCHA, etc.

[Translation.]

LEGATION OF COLOMBIA,
Washington, D. C., April 23, 1902.

SIR: I have the honor to acknowledge the reception of your excellency's communication of the 21st instant, by which you are pleased to inform me that you are authorized by the President of the United States to sign with the Republic of Colombia the treaty relative to the opening of the Panama Canal, and the other details connected with the said work, in accordance with the draft I submitted to the Government of the United States on the 18th instant, and that you will proceed to do so as soon as permission shall have been given by the Congress of this Republic and as soon as the official lawyers shall have given their opinion regarding the title of the new canal company for the transfer of its rights.

When the occasion to sign the above-mentioned treaty shall arise, I will present, according to usage, the full powers authorizing me to do so.

Accept, excellency, the sentiments of my high consideration.

JOSE VICENTE CONCHA.

Hon. JOHN HAY,

Secretary of State of the United States, Department of State.

Mr. MORGAN. In that treaty no exception was made in favor of the people of the United States who may go there to live, for ages to come, with respect to this concordat and these infamous laws which obtain in Colombia and control the marital relations and the education of the children.

We are to have joint tribunals, according to the treaty which Mr. Hay said he was ready to sign, judicial tribunals, comprised of Colombians and Americans, to be appointed I suppose under the acts of both of these Governments, for the purpose of deciding all questions that arise between Americans and Colombians, civil and criminal. When we get into the joint tribunal, with our two or three or five judges and they have theirs, Mr. President, they will be acting under this law in respect of all marriage rights and contracts and the rights of education of children and the right to establish Protestant schools in a canal belt.

Colombia will be found contending for their organic law, which is not displaced by any treaty. We will be contending for the Constitution of the United States, which goes with our people wherever we have the right of occupancy and possession, by treaty or otherwise. Who is to reconcile these things?

Who, Mr. President, can prevent the return of the hostilities that are apparently now suppressed and are said to be closed between that old Church party, who maintain these dogmas and these organic principles in their law, and the Liberal party, who have been fighting them in every country in America that ever belonged to Spain? They have been fighting them from 1812 down to the present time almost without any intermission, except when the Church party has been compelled to give way, to yield to superior power.

It has yielded to superior power in every country in South America except Venezuela and Colombia. It has yielded to superior power in all the States of Central America and in Mexico. The wars have ended. Peace has returned. Prosperity has attended the peaceful relations that have been established in all the Spanish-American States by the Liberal party, but the Liberal party is to-day crushed beneath the foot of the dictatorial and war power in Colombia, and we are treating with the Church party that is bound to this concordat.

Now, when we speak of Mormonism as existing among a few individuals in New Mexico and Arizona, and as a matter of religious faith, what are we to say in respect of ourselves when we are urging treaties upon a country that has this marriage-destroying concordat in its organic law?

Are we so poor in spirit or so intoxicated with the supposed advantages of a bargain or a speculation that we forget the duties we owe to our own people when such a temptation is presented?

Mr. President, is it not time that we should pause to reflect a

little? Are we prepared to sacrifice every principle of religion and every principle of the Constitution of the United States to the demands of this priest of unrighteousness, that takes the marriage contract and tears it to pieces by an act of law, bastardizes the children, distributes the property, and when the children even of those who are married according to the ritual of that church and all others in Colombia are held subordinate to the priesthood in their instruction and in the text-books which they are to read, and when it is made a drastic and heavy penalty of the law that those shall suffer who undertake even to criticize this act or undertake to evade it in any respect?

Sir, if I were an American citizen speaking in a canal zone in Colombia to my own fellow-citizens at a place that belongs to us by occupancy under a treaty, I would be liable to punishment for the words I have dared to utter in the Senate in criticism of it. And yet we, driven by a feeling of ambitious covetousness, are rushing headlong, and our President of the United States is pledging us that we shall make an agreement with a country that has laws of this kind, without making an effort to escape their power.

Sir, we do not intend to obey those laws. We do not intend that they shall be of force. But we will make our treaty knowing that they are there and making no effort to remove them. What, then, are we doing? Subordinating our people to a very much worse condition than ever existed in Utah in respect to Mormonism and polygamy, certainly much worse than exists in these Territories now on that question of religious belief, with the reserved and concealed purpose of defying those laws after we have accepted them.

I abhor the idea of the Mormon Church and of polygamy. I admire the laws of the Cherokees, which I quoted yesterday, which as far back as 1826 prohibited polygamy, before we thought of doing so. I believe in the righteousness of the Indian laws on that subject, which we have adopted. I believe also in the rights of women to their property, which all the States of the Union now, I believe, have virtually adopted after the Cherokees in their enactment in their council, in 1826, proclaimed as law. They are the authors of it. They inspired the thought that made the woman independent of her husband in regard to the ownership of her own property.

It has been attempted here to show that the Mexican Government is winking at the immigration of Mormons into its territory and that they are practicing polygamy in Mexico. Such a thing as that, Mr. President, did not exist when this treaty was made; and if Mexico sees proper now to admit such a thing, and I do not believe a word of it, still we have no right of complaint.

When we brought these people into the United States we gave them the guaranties of our Constitution, and under the powers of that instrument we have abrogated Mormonism as a legal establishment or a church establishment in Utah and elsewhere. The polygamous features of it have been swept out by opposing statutes.

Now, while we are arguing here and objecting to this treaty on the ground that some of those people are still addicted to Mormonism in respect of their belief and not of the practice of polygamy, we are still here urging the acquisition of a country to the United States, and it is no less than an acquisition, at least for the period of a hundred years, where the law that I have been reading prevails.

Let us look over the whole field. Let us do justice to ourselves, our own institutions, and our own history, while we are considering this subject, and let not the Senate of the United States suppose that the people of the United States are going to listen to our clamors about Mormonism in New Mexico and Arizona when we are straining every nerve and using every power that we possess for the purpose of getting a treaty under which our people will be subjected to the horrible condition that is provided for in articles 24, 25, and 26 of the concordat with Pope Leo XIII.

The heart of the war in Colombia has been in those three articles. Take the testimony of Mr. Restrepo, who is known here and who was the agent of the insurrectionary forces in Colombia, and from Madrid published his opinions boldly to the world—to take his testimony, not only was this unholy union between church and state, then incorporated in this act of 1888, forced upon the Colombian people, but that, in the war which since that time has covered many a battlefield with dead Colombians, this concordat has been the cause of it.

Mr. Restrepo asserts that San Clemente, practicing upon the new Panama Canal Company, extracted from them, in April, 1900, a million dollars, which he stuck into his pocket, and now Marroquin, the present President, is going to get another—the man who imprisoned Silva, the minister to this country, when he returned to Colombia recently, because he could not make him obey his will. That is the situation there, and we are treating with him; we are anxiously pursuing a treaty engagement with him.

I say, Mr. President, if we have a mind to halt anywhere we

ought to halt right here in our dealings with countries that are thus affected, and see whether or not some mischievous consequences may not arise. But when we have made treaties that are honorable and just and are not affected by such conditions I appeal to the Senate of the United States, and I appeal to the people of the United States, to sustain me in my demand that we shall observe those treaties in good faith. If we admit these States into the Union because we have engaged to do it, and it is a duty we owe to those people and to our own obligations, we will have done no more and no less than our duty.

I ask the leave of the Senate to annex the concordat from which I read in my remarks as a part of them. It is very brief.

The PRESIDENT pro tempore. The Senator from Alabama asks unanimous consent to annex to his speech a certain concordat. Is there objection? The Chair hears none.

The paper referred to is as follows:

[Senate Document No. 95, Fifty-seventh Congress, second session.]

CONCORDAT BETWEEN COLOMBIA AND POPE LEO XIII.

The concordat between Colombia and Pope Leo XIII, promulgated February 24, 1888, and article 34 of law 30 of 1888 of said Republic of Colombia. January 19, 1903.—Ordered to be printed. Concordat between the Republic of Colombia and Pope Leo XIII.

Mr. Walker to Mr. Bayard.

No. 95.]

LEGATION OF THE UNITED STATES,
Bogota, March 7, 1888. (Received April 6.)

SIR: As a subject which may be of interest to the State Department and important to some of our citizens coming to this country to reside, I have the honor to inclose herewith a copy, in Spanish, of the "Concordat" recently celebrated between the Holy See of Rome and the Colombian Government, with a careful translation.

In making this translation I regretted that I did not have access to the original Latin text in which it was drawn up and signed, but had to content myself with the Spanish translation, which in some of the articles is vague and ambiguous. The first clause of the seventeenth article is so much so that in my translation I was forced to be paraphrastic rather than literal.

As a part of the same subject I herewith transmit a copy, with translation, of law 30, passed by the legislative council on the 25th of February last, which virtually annuls all civil marriages celebrated at any time in the past, unless the ceremony was also performed canonically. The annulment of the marriage, however, does not illegitimize the children of such marriage.

I am, sir, etc.,

JNO. G. WALKER.

[Inclosure 1 in No. 95.—Translation.]

CONCORDAT ENTERED INTO BETWEEN POPE LEO XIII AND THE REPUBLIC OF COLOMBIA.

[Concluded December 31, 1887. Ratified by the legislative council of Colombia February 24, 1888.]

In the name of the most holy and indivisible Trinity, the Supreme Pontiff, Leo XIII, and the most excellent Rafael Nuñez, President of the Republic of Colombia, by their respective representatives, to wit, on the part of His Holiness, the most eminent Monsignore Mariana Rampolla del Tindaro, cardinal presbyter of the most holy Church of St. Cecilia and papal secretary of state; and on the part of the Republic, His Excellency Joaquín Vélez, envoy extraordinary and minister plenipotentiary near the Holy See, who, after a mutual exchange of credentials, have concluded the following convention:

ART. 1. The Catholic, Roman, Apostolic is the religion of Colombia, the public authorities of which shall recognize it as an essential element of social order, and they bind themselves to protect it in all its rights and privileges, and to cause it and its ministers to be respected.

ART. 2. The Catholic Church shall be free and independent of the civil authority and shall freely exercise all its spiritual authority and jurisdiction, conforming in its administrative government solely to its own laws.

ART. 3. Canonical legislation shall be free of the civil, and shall form no part of the latter, but will be respected by the latter.

ART. 4. The church, represented by its hierarchical authorities, is recognized by the State as a true and legitimate entity, with capacity to exercise and enjoy all rights pertaining to such.

ART. 5. The church has the right of acquiring, possessing, and administering real and personal property, in accordance to general laws, and its lands and establishments shall be no less inviolable than those of the citizens of the Republic.

ART. 6. Ecclesiastical property may be taxed in the same manner and to the same extent as the property of private individuals, except edifices for public worship, theological seminaries, and the residences of the clergy, which are exempt from all taxation, occupation, or appropriation to other uses.

ART. 7. The secular and regular clergy shall not be required to perform public duties incompatible with their ministry and profession, and at all times shall be exempt from military service.

ART. 8. The Government shall enact such laws as will protect the sacerdotal dignity whenever, for any cause, a minister of the church may figure in criminal trials.

ART. 9. Diocesan bishops and parish priests may claim from the faithful the emoluments and ecclesiastical fees canonically and equitably established, either by the immemorial custom of the diocese or by the rules of religious services; and in order that such acts and obligations may produce civil effects, and that the temporal authority may lend its support, the bishops shall proceed in accord with the Government.

ART. 10. Competent ecclesiastical authority has the right in Colombia to establish religious orders of both sexes, to be governed by suitable constitutions. But in order to secure the enjoyment of the rights of a lawful corporation and the protection of the laws they must present to the civil authorities the canonical authorization issued by their ecclesiastical superior.

ART. 11. The Holy See will lend its support and cooperation to the Government for the establishment in Colombia of religious institutions, giving preference to those for charitable purposes, for missions, for the education of youth, and for general education, and to other works of public utility and beneficence.

ART. 12. Public education and instruction in universities, colleges, schools, and in other centers of instruction shall be organized and directed in conformity with the dogmas and moral teachings of the Catholic Church.

ART. 13. Consequently, in such centers of instruction the respective diocesan bishops, either by themselves or by special delegation, shall exercise

the right, in whatever concerns religion and morals, to inspect and revise the text-books in use in the same.

The archbishop of Bogotá shall prescribe the text-books relating to religion and morals to be used in the universities; and to insure uniformity of teaching on those subjects said prelate, in connection with other bishops, shall choose the text-books for the other schools of official instruction.

The Government shall see that no lectures are delivered on literary, scientific, or general subjects in any branch of learning that inculcate ideas contrary to Catholic dogmas or calculated to lessen the respect due to the church.

ART. 14. If, in spite of the orders and precautions of the Government, the moral and religious teaching (in universities, colleges, etc.) shall not conform to Catholic doctrines, the respective dioceses may withdraw from the offending professors and masters the privilege of teaching in such branches.

ART. 15. The Holy See has the right to fill vacancies in the archbishoprics and bishoprics, but the Holy Father, as an evidence of special deference and to the end of preserving perfect harmony between the church and the state, agrees that in filling such vacancies the previous consent of the President shall be obtained. To that end, when such vacancies occur, the President may recommend directly to the Holy See such ecclesiastics as in his judgment unite in themselves the gifts and qualifications necessary for the episcopal dignity; and the Holy See, on its part, before making the appointment, shall always communicate the names of the candidates for promotion in order to ascertain whether or not the President considers the candidates civilly or politically disqualified for such positions, vacancies in the bishoprics to be filled as soon as possible, and in no case to remain unfilled for more than six months.

ART. 16. The Holy See may erect new dioceses, or change the limits of those existing, whenever it is thought opportune and useful for the better care of souls, previously consulting the Government and admitting such suggestions as may be reasonable and just.

ART. 17. All persons professing the Catholic religion, desirous of contracting marriage, should have the ceremony performed according to the rites of the church.

The civil effects of marriage, in respect to the persons and property of the contracting parties and their descendants, can only be secured when the marriage is performed in accordance with the prescriptions of the council of Trent. This celebration shall be witnessed by the functionary who may be designated by law for the sole purpose of verifying the entry of the marriage in the civil registry. But in cases of marriage in articulo mortis, when this formality might be difficult of observance, it may be dispensed with and other proof substituted.

It being the business of the contracting parties to secure the intervention of the civil functionary for the registry, the duty of the clergyman is limited to an admonition as to the requirements of the civil law.

ART. 18. In order to give marriages celebrated at whatever period, according to the prescriptions of the Council of Trent, civil effect, suppletory evidence of ecclesiastical origin will be given preference.

ART. 19. Matrimonial causes affecting the married relation, cohabitation, and the validity of espousals pertain exclusively to the ecclesiastical authority, the civil consequences of marriages to the temporal.

ART. 20. The armies of the Republic shall enjoy the indulgence known as castrenses, to be regulated by the Holy Father in a separate act.

ART. 21. Following the divine offices there shall be offered up in all the churches of the Republic the following prayers: Domine salvam fac Rempublicam; Domine salvum fac Praesidem ejus et supremas ejus auctoritates.

ART. 22. The Government of the Republic recognizes in perpetuity as a consolidated debt the value of the redeemed annuities (censos) now in the treasury, and of the estates belonging to the church fraternities, charitable foundations, chapels, establishments for instruction and benevolence erected by the church, which at any time may have been inscribed in the public debt of the nation. This recognized debt is to bear interest without diminution at the annual rate of 4 per cent, payable every six months.

ART. 23. The income arising from sequestered benefices and tithings pertaining to charitable institutions, chapels, monasteries, and other separate foundations is recognized and shall be paid to those who have the right to receive them, or to their legal representatives. This payment shall be made without diminution, as is provided for in the last preceding article, to commence with year 1888. In case any such bodies have become extinct, the amounts due them by a previous arrangement with the Government shall be applied to pious and charitable objects, without in any case contravening the intention of the founders.

ART. 24. In view of the present condition of the national treasury of Colombia and the benefit derived by the church from the observance of this convention, the Holy See makes the following relinquishments:

(a) The value of the principal of the sequestered property belonging to the aforesaid extinct convents and religious bodies of both sexes, not included in the foregoing articles, and which has not in any manner been recognized. (b) Whatever is due to such extinct organizations for rents or interest already accrued, or in whatever manner resulting, from said sequestration previous to the 31st of December, 1887.

ART. 25. In consideration of the foregoing favor the Government of Colombia agrees to secure, in perpetuity, an annual net sum, hereby fixed at 100,000 Colombian dollars, to be increased when the said treasury is in a better condition, said payments to be applied to the uses of the dioceses, chapters, seminaries, missions, and such other civilizing works of the church, and in such manner as may be agreed upon between the high contracting parties.

ART. 26. The surviving members of the extinct religious communities shall continue in the enjoyment, for their maintenance and other necessities, of such revenues as may have belonged to them by virtue of previous laws and decrees.

ART. 27. In like manner shall be paid the rents and incomes set aside by anterior laws and decrees for the support of public worship in churches, chapels, and other religious places not included in article 22. If concerning this point there should be doubt or difficulty, the Government shall communicate with competent ecclesiastical authorities, to the end that a good understanding may be arrived at.

ART. 28. The Government shall return to religious bodies such of their sequestered property as has no distinct destination; but if the owner does not come forward, or if he fills no ecclesiastical office, it may be sold and the proceeds applied to pious and benevolent objects, according to the most pressing needs of each diocese, the proceeding in such cases to be in accord with the ecclesiastical authorities.

ART. 29. The Holy See, in order to secure public tranquillity, declares, for its part, that persons who purchased ecclesiastical property during the past changes in Colombia, or who have redeemed annuities (censos) in the national treasury, according to the provisions of the civil law at the time in force, shall not be disturbed in any manner by the ecclesiastical authorities, a favor extended not only to those who performed the acts, but to those who, in the exercise of whatsoever functions, may have taken part in the same, in such manner that the first purchasers, as well as their legal successors and those who have redeemed annuities (censos), shall enjoy in peace and security such property, its products and emoluments, stipulating, however, that the Republic shall not in future repeat similar acts of seizure.

ART. 30. The Government of the Republic shall arrange with the respective diocesan bishops all that relates to cemeteries, reconciling the exigencies of their civil and sanitary character with the veneration due the sacredness of such places and with ecclesiastical prescriptions. In case of misunderstandings on such subjects they will be arranged between the Holy See and the Government.

ART. 31. Agreements between the Holy See and the Government of Colombia for fostering Catholic missions among the barbarous tribes shall not require the after approval of Congress.

ART. 32. The present convention repeals and renders null and void all laws, orders, and decrees, in whatsoever mode or period they were promulgated, in such parts as may contradict or are inconsistent with this convention, which shall remain the permanent law of the State.

ART. 33. The ratification of this convention shall take place within six months from the date of its signature, or sooner, if possible.

In faith whereof the said plenipotentiaries sign and seal this convention.

Done at Rome the 31st day of December, 1887.

M. CARDINAL RAMPOLLA.
JOAQUIN F. VELEZ.

NATIONAL LEGISLATIVE COUNCIL,
Bogotá, February 24, 1888.

Considering (1) that in the celebration of the foregoing convention the Government has acted within the powers conferred upon it by article 56 of the fundamental law of the Republic;

(2) That by this agreement, which satisfactorily and consistently settles all pending questions between the church and the state in conformity with the new national régime, and at the same time responds to imperious necessity and public well-being, which demanded the definition of the mutual relations between the civil and the ecclesiastical powers; and

(3) That its stipulations conform strictly to the provisions of articles 38, 41, 47, 53, 54, and 55 of the constitution.

It is decreed—

ART. I. That the foregoing convention is hereby approved and incorporated in the present law.

ART. II. The amount to be paid out of the treasury of the Republic to fulfill its obligations thereby created is hereby appropriated, and will be included in the budget of the present fiscal period.

Given at Bogotá this 24th day of February, 1888.

CARLOS CALDERON (R.),
President.
JOSÉ MARIA RUBIO (F.),
Vice-President.
ROBERTO DE NARVAEZ,
MANUEL BRIGARO,
Secretaries.

EXECUTIVE GOVERNMENT,
Bogotá, February 27, 1888.

RAFAEL NUÑEZ.

Let it be published and executed.

[L. S.]

(Countersigned:)

VICENTE RESTREPO,

Minister of Foreign Affairs.

[Inclosure 2 in No. 95.—Translation.—Extract from law 30, of 1888.]

ART. 34. A marriage contracted in conformity with the rights of the Catholic religion annuls ipso jure a purely civil marriage previously entered into with another person.

ART. 35. For purely civil effects the law recognizes the legitimacy of the children conceived previously to the annulment of the civil marriage, in accordance with the provisions of the last preceding article.

ART. 36. The man who, after having contracted a civil marriage, afterwards marries another woman according to the rites of the Catholic Church, is required to provide subsistence to the woman and his children by her until she marries canonically.

Mr. QUAY. Mr. President, if there is no Senator prepared to proceed with the debate, I should be glad to have a vote upon the bill.

Mr. PROCTOR. Will the Senator yield to me to ask for a change of reference?

Mr. QUAY. I yield to the Senator from Vermont.

IMPORTATION OF BREEDING ANIMALS.

Mr. PROCTOR. The bill (S. 7291) regulating the importation of breeding animals was introduced by the Senator from Kansas [Mr. HARRIS] and referred to the Committee on Agriculture and Forestry. I think it should properly go to the Committee on Finance. I ask that the Committee on Agriculture and Forestry be discharged from the further consideration of the bill and that it be referred to the Committee on Finance.

The PRESIDING OFFICER (Mr. SIMMONS in the chair). In the absence of objection, the change of reference requested will be made.

STATEHOOD BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

Mr. QUAY. Mr. President, while I have the floor I desire to ask the unanimous consent of the Senate that a final vote upon this bill and the amendments now pending or hereafter to be offered shall be taken on Saturday, the 21st day of February, at 2 o'clock p. m.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent that the final vote on this bill and on pending amendments and on amendments then offered may be taken without further debate on Saturday, at 2 o'clock p. m., the 21st day of February.

Mr. BEVERIDGE. Mr. President—

The PRESIDENT pro tempore. Is there objection?

Mr. PROCTOR. Mr. President, as the bill is before the Committee on Agriculture and Forestry in another form, I feel it to be my duty to object to the request.

The PRESIDENT pro tempore. The Senator from Vermont objects.

Mr. QUAY. I would be glad if the Senator from Vermont would inform me when the bill is likely to be reported from the Committee on Agriculture and Forestry.

Mr. PROCTOR. The Committee on Agriculture and Forestry is awaiting, I believe, the motion of one of its members, the Senator from Pennsylvania [Mr. QUAY].

MASONIC MUTUAL RELIEF ASSOCIATION.

Mr. WELLINGTON. I ask the unanimous consent of the Senate to call up the bill (S. 6525) to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia."

The PRESIDENT pro tempore. The Senator from Maryland asks unanimous consent that the unfinished business be laid temporarily aside and that the Senate proceed to the consideration of the bill he has indicated.

Mr. QUAY. Mr. President, I feel it my duty to object to unanimous consent for the passage of any bill while the statehood bill is before the Senate. I will not object at any time during the morning hour before the statehood bill is taken up.

The PRESIDENT pro tempore. The Senator from Pennsylvania objects.

Mr. QUAY. I trust my friend from Maryland will pardon me for objecting to the bill.

Mr. WELLINGTON. The bill will take only a moment. I hope the Senator will withdraw his objection.

Mr. GALLINGER. It is still the morning hour.

Mr. QUAY. I will let this one go.

Mr. WELLINGTON. The Senator from Pennsylvania withdraws his objection.

The PRESIDENT pro tempore. The Chair hears no objection and the bill will be read.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. The bill was reported from the Committee on the District of Columbia with an amendment, on page 2, line 14, after the word "association," to insert the following proviso:

Provided, however, That upon all policies which shall be issued for a specified amount it shall be required to maintain a reinsurance reserve fund not less than that computed upon the American experience table of mortality at 4 per cent interest.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VALDEMAR POULSEN.

Mr. KITTREDGE. I ask unanimous consent to submit a report from the Committee on Patents.

I am directed by the Committee on Patents, to whom was referred the bill (H. R. 13307) for the relief of Valdemar Poulsen, to report it favorably with an amendment, and I ask unanimous consent for its present consideration.

There being no objection, the bill was read, as follows:

Be it enacted, etc., That letters patent of the United States granted to Valdemar Poulsen, No. 661613, dated November 13, 1900, shall not be held invalid by reason of the lapse of more than seven months between the time of filing of his application for a patent in Denmark and the filing of his application for said United States patent; nor shall the lapse of said period of more than seven months debar him from the grant of a patent upon that portion of his invention which was divided out from his original application in this country under the rules of practice then prevailing in the Patent Office, but the patent which may be granted on said divisional application shall expire at the same time with the said letters patent No. 661613.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Patents was to add at the end of the bill the following proviso:

Provided, That no person shall be held liable for any infringement of the patents herein referred to which may have occurred prior to the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

DEPARTMENT OF COMMERCE AND LABOR.

Mr. HANNA. Mr. President, I desire to call up the conference report on the bill (S. 569) to establish the department of commerce and labor, which was submitted by me on yesterday.

The PRESIDENT pro tempore. The Chair lays before the Senate the conference report on the bill referred to by the Senator from Ohio. This report has been read in full to the Senate. The question is on agreeing to the report.

The report was agreed to.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 10th instant approved and signed the act (S. 916) for the relief of Clara H. Fulford.

FRANCIS A. TRADEWELL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 16161) granting an increase of pension to Francis A. Tradewell and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GALLINGER. I move that the Senate insist upon its amendment and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. PRITCHARD, and Mr. TALIAFERRO were appointed.

STATEHOOD BILL.

Mr. QUAY. The regular order, Mr. President.

The PRESIDENT pro tempore. The Senator from Pennsylvania demands the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

Mr. KEAN. I understand that the Senator from New York [Mr. DEPEW] desires to proceed now, and I gladly yield to him.

Mr. DEPEW addressed the Senate. After having spoken a little more than two hours,

Mr. LODGE. Will the Senator from New York permit me?

The PRESIDING OFFICER (Mr. BURTON in the chair). Does the Senator from New York yield to the Senator from Massachusetts?

Mr. DEPEW. Certainly.

Mr. LODGE. I will ask the Senator from New York if he has any objection to my making a motion that the Senate proceed to the consideration of executive business?

Mr. DEPEW. I have none.

[Mr. DEPEW's speech will be published entire after it shall have been concluded.]

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After forty minutes spent in executive session the doors were reopened and (at 4 o'clock and 53 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 12, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 11, 1903.

PROMOTIONS IN THE ARMY.

Infantry Arm.

Lieut. Col. Henry H. Adams, Eighteenth Infantry, to be colonel, February 10, 1903, vice Davis, Fifth Infantry, appointed brigadier-general.

Maj. Walter S. Scott, Twenty-seventh Infantry, to be lieutenant-colonel, February 10, 1903, vice Adams, Eighteenth Infantry, promoted.

Capt. Edgar W. Howe, Twenty-second Infantry, to be major, February 10, 1903, vice Scott, Twenty-seventh Infantry, promoted.

First Lieut. Edgar Ridenour, Sixteenth Infantry, to be captain, February 4, 1903, vice Kirby, Tenth Infantry, promoted.

PROMOTIONS IN THE NAVY.

Surg. John W. Ross, United States Navy (retired), to be a medical director on the active list of the Navy, as an additional number in that grade, not in line of promotion, from the 5th day of February, 1903, in accordance with the provisions of an act of Congress approved February 5, 1903.

Lieut. (Junior Grade) Robert Platt, United States Navy, to be a commander in the Navy, on the retired list, from the 5th day of February, 1903, in accordance with the provisions of an act of Congress approved February 5, 1903.

INDIAN AGENT.

Harry E. Wadsworth, of Wyoming, to be agent for the Indians of the Shoshone Agency in Wyoming, vice Herman G. Nickerson, resigned.

RECEIVER OF PUBLIC MONEYS.

Robley D. Harris, of Nebraska, to be receiver of public moneys at Sidney, Nebr., vice James L. McIntosh, jr., transferred in exchange to register of the land office at Sidney.

REGISTER OF LAND OFFICE.

James L. McIntosh, jr., of Nebraska, to be register of the land office at Sidney, Nebr., vice Robley D. Harris, term expired. Transfer from receiver of public moneys at Sidney.

POSTMASTERS.

CALIFORNIA.

A. Bradford, to be postmaster at Haywards, in the county of Alameda and State of California, in place of George A. Oakes. Incumbent's commission expired May 4, 1903.

Charles Harris, to be postmaster at Merced, in the county of Merced and State of California, in place of Francis M. Ordway. Incumbent's commission expired February 10, 1903.

Fred M. Kelly, to be postmaster at Needles, in the county of San Bernardino and State of California, in place of Fred M. Kelly. Incumbent's commission expired February 10, 1903.

Thomas E. Knox, to be postmaster at Livermore, in the county of Alameda and State of California, in place of Reuben Hunter. Incumbent's commission expired March 9, 1903.

Theodore W. Leydecker, to be postmaster at Alameda, in the county of Alameda and State of California, in place of Theodore W. Leydecker. Incumbent's commission expired January 31, 1903.

W. L. Williams, to be postmaster at Madera, in the county of Madera and State of California, in place of George G. Parsons. Incumbent's commission expired January 13, 1903.

COLORADO.

Hockley T. Hamill, to be postmaster at Georgetown, in the county of Clear Creek and State of Colorado, in place of Hockley T. Hamill. Incumbent's commission expires February 15, 1903.

CONNECTICUT.

William B. Bristol, to be postmaster at Stratford, in the county of Fairfield and State of Connecticut, in place of Sylvanus C. Dickinson. Incumbent's commission expired January 17, 1903.

Charles H. Dimmick, to be postmaster at Willimantic, in the county of Windham and State of Connecticut, in place of Charles H. Dimmick. Incumbent's commission expires March 3, 1903.

Nathaniel P. Noyes, to be postmaster at Stonington, in the county of New London and State of Connecticut, in place of Nathaniel P. Noyes. Incumbent's commission expires February 14, 1903.

Courtland C. Potter, to be postmaster at Mystic, in the county of New London and State of Connecticut, in place of Ebenezer P. Couch. Incumbent's commission expires February 15, 1903.

GEORGIA.

Robert L. Williams, to be postmaster at Griffin, in the county of Spalding and State of Georgia, in place of Robert L. Williams. Incumbent's commission expires February 15, 1903.

IDAHO.

Dora C. Hill, to be postmaster at Shoshone, in the county of Lincoln and State of Idaho. Office became Presidential January 1, 1903.

ILLINOIS.

Charles F. Douglass, to be postmaster at Ashland, in the county of Cass and State of Illinois, in place of Charles F. Douglas, to correct name.

Winfield S. Pinnell, to be postmaster at Kansas, in the county of Edgar and State of Illinois, in place of Winfield S. Pinnell. Incumbent's commission expired January 31, 1903.

IOWA.

Earl M. Cass, to be postmaster at Sumner, in the county of Bremer and State of Iowa, in place of Earl M. Cass. Incumbent's commission expires February 15, 1903.

George E. Comstock, to be postmaster at Fayette, in the county of Fayette and State of Iowa, in place of George E. Comstock. Incumbent's commission expired December 21, 1902.

INDIANA.

Stanley S. Tull, to be postmaster at Monon, in the county of White and State of Indiana, in place of Stanley S. Tull. Incumbent's commission expires February 15, 1903.

LOUISIANA.

H. C. Edwards, to be postmaster at Marksville, in the parish of Avoyelles and State of Louisiana. Office became Presidential January 1, 1903.

MAINE.

George H. Roberts, to be postmaster at Springvale, in the county of York and State of Maine, in place of George H. Roberts. Incumbent's commission expires February 14, 1903.

MASSACHUSETTS.

Frank E. Briggs, to be postmaster at Turners Falls, in the county of Franklin and State of Massachusetts, in place of Frank E. Briggs. Incumbent's commission expires March 3, 1903.

Stanley B. Dearborn, to be postmaster at Wakefield, in the county of Middlesex and State of Massachusetts, in place of Stanley B. Dearborn. Incumbent's commission expires March 2, 1903.

H. D. Hunt, to be postmaster at North Attleboro, in the county of Bristol and State of Massachusetts, in place of Frederick B. Byram. Incumbent's commission expires February 15, 1903.

Martin A. Minchin, to be postmaster at Braintree, in the county of Norfolk and State of Massachusetts, in place of Martin A. Minchin. Incumbent's commission expires February 14, 1903.

Harley Prentiss, to be postmaster at Reading, in the county of Middlesex and State of Massachusetts, in place of Harley Prentiss. Incumbent's commission expires February 14, 1903.

MICHIGAN.

Charles Bidwell, to be postmaster at Tecumseh, in the county of Lenawee and State of Michigan, in place of James W. Wightman. Incumbent's commission expires February 15, 1903.

MISSOURI.

Charles M. Alger, to be postmaster at Hannibal, in the county of Marion and State of Missouri, in place of Charles M. Alger. Incumbent's commission expired June 29, 1902.

Troy L. Crane, to be postmaster at Lees Summit, in the county of Jackson and State of Missouri, in place of Troy L. Crane. Incumbent's commission expired January 28, 1903.

Thomas J. C. Fagg, to be postmaster at Louisiana, in the county of Pike and State of Missouri, in place of Thomas J. C. Fagg. Incumbent's commission expired March 16, 1902.

William L. H. Silliman, to be postmaster at Clarksville, in the county of Pike and State of Missouri, in place of William L. H. Silliman. Incumbent's commission expired March 21, 1902.

W. W. Wagner, to be postmaster at Jefferson City, in the county of Cole and State of Missouri, in place of George F. Robinson. Incumbent's commission expired March 21, 1902.

Frank L. Wilson, to be postmaster at Bowling Green, in the county of Pike and State of Missouri, in place of Frank L. Wilson. Incumbent's commission expired January 12, 1902.

NEW JERSEY.

James E. Cook, to be postmaster at Manasquan, in the county of Monmouth and State of New Jersey, in place of James E. Cook. Incumbent's commission expired January 28, 1903.

NEW YORK.

John B. Alexander, to be postmaster at Oswego, in the county of Oswego and State of New York, in place of John B. Alexander. Incumbent's commission expired January 13, 1903.

Charles W. Harding, to be postmaster at Whitehall, in the county of Washington and State of New York, in place of Charles W. Harding. Incumbent's commission expires March 3, 1903.

John I. Traphagen, to be postmaster at Suffern, in the county of Rockland and State of New York, in place of John I. Traphagen. Incumbent's commission expires March 3, 1903.

John G. Williams, to be postmaster at Granville, in the county of Washington and State of New York, in place of John G. Williams. Incumbent's commission expired January 13, 1903.

NORTH CAROLINA.

John E. Albright, to be postmaster at Mount Airy, in the county of Surry and State of North Carolina, in place of Richard K. Marshall. Incumbent's commission expired May 6, 1902.

PENNSYLVANIA.

Thomas H. Bailey, to be postmaster at Mansfield, in the county of Tioga and State of Pennsylvania, in place of Judson A. Elliott. Incumbent's commission expired January 31, 1903.

Merrick Davidson, to be postmaster at Emlenton, in the county of Venango and State of Pennsylvania, in place of Merrick Davidson. Incumbent's commission expires March 3, 1903.

William W. Scott, to be postmaster at Sewickley, in the county of Allegheny and State of Pennsylvania, in place of William W. Scott. Incumbent's commission expires February 20, 1903.

Lilly Watters, to be postmaster at Evans City, in the county of Butler and State of Pennsylvania, in place of Lilly Watters, to correct name.

Alfred E. Williams, to be postmaster at Plymouth, in the county of Luzerne and State of Pennsylvania, in place of Alfred E. Williams. Incumbent's commission expires March 2, 1903.

G. Clinton Williams, to be postmaster at Spring City, in the county of Chester and State of Pennsylvania, in place of G. Clinton Williams. Incumbent's commission expires February 14, 1903.

William W. Wren, to be postmaster at Boyertown, in the county of Berks and State of Pennsylvania, in place of William W. Wren. Incumbent's commission expired January 28, 1903.

TENNESSEE.

Gus A. McLane, to be postmaster at Lewisburg, in the county of Marshall and State of Tennessee, in place of Gus A. McLane. Incumbent's commission expired February 6, 1903.

TEXAS.

H. H. Andrew, to be postmaster at Dublin, in the county of Erath and State of Texas, in place of Stephen J. Weaver. Incumbent's commission expired March 31, 1902.

Harry Beck, to be postmaster at Hillsboro, in the county of Hill and State of Texas, in place of Harry Beck. Incumbent's commission expired January 10, 1903.

Edward Blanchard, to be postmaster at San Angelo, in the county of Tom Green and State of Texas, in place of Edward Blanchard. Incumbent's commission expired May 24, 1902.

R. G. Flato, to be postmaster at Shiner, in the county of Lavaca and State of Texas. Office became Presidential October 1, 1902.

Marion S. French, to be postmaster at Alvin, in the county of Brazoria and State of Texas, in place of Bert L. Osgood. Incumbent's commission expired December 20, 1902.

Thomas Hall, to be postmaster at Palestine, in the county of Anderson and State of Texas, in place of Thomas Hall. Incumbent's commission expired May 10, 1902.

Harry Harris, to be postmaster at Gatesville, in the county of Coryell and State of Texas, in place of Clarence L. Bush. Incumbent's commission expired January 10, 1903.

William H. Harvey, to be postmaster at Belton, in the county of Bell and State of Texas, in place of William H. Harvey. Incumbent's commission expired January 10, 1902.

James Larson, to be postmaster at Fredericksburg, in the county of Gillespie and State of Texas. Office became Presidential January 1, 1902.

J. S. Richard, to be postmaster at Itasca, in the county of Hill and State of Texas, in place of Gen. B. Clark. Incumbent's commission expired January 10, 1902.

Denny E. Walshe, to be postmaster at Grand Saline, in the county of Van Zandt and State of Texas. Office became Presidential July 1, 1902.

William J. Walters, to be postmaster at Hereford, in the county of Deaf Smith and State of Texas. Office became Presidential January 1, 1903.

VERMONT.

L. Downer Hazen, to be postmaster at St. Johnsbury, in the county of Caledonia and State of Vermont, in place of L. Downer Hazen. Incumbent's commission expired January 28, 1903.

WEST VIRGINIA.

James H. Dunn, to be postmaster at Sutton, in the county of Braxton and State of West Virginia, in place of James H. Dunn. Incumbent's commission expired January 24, 1903.

Obe A. Petty, to be postmaster at Charleston, in the county of Kanawha and State of West Virginia, in place of Obe A. Petty. Incumbent's commission expired January 24, 1903.

WISCONSIN.

Anah Crocker, to be postmaster at Spooner, in the county of Washburn and State of Wisconsin. Office became Presidential October 1, 1902.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 11, 1903.

ASSISTANT SECRETARY OF THE TREASURY.

Robert B. Armstrong, of Illinois, to be Assistant Secretary of the Treasury.

MARSHAL.

Charles K. Darling, of Massachusetts, to be United States marshal for the district of Massachusetts.

ASSAYER.

Frank M. Downer, of Colorado, to be assayer in charge of the mint of the United States at Denver, Colo.

MELTER.

Joseph W. Milsom, of Colorado, to be melter of the mint of the United States at Denver, Colo.

RECEIVER OF PUBLIC MONEYS.

Otis L. Atherton, of Russell, Kans., to be receiver of public moneys at Wakeeney, Kans.

POSTMASTERS.

CONNECTICUT.

Charles N. Hatch, to be postmaster at Bridgewater, in the county of Litchfield and State of Connecticut.

Charles C. Georgia, to be postmaster at Unionville, in the county of Hartford and State of Connecticut.

INDIANA.

Frank B. Meyer, to be postmaster at Rensselaer, in the county of Jasper and State of Indiana.

IOWA.

A. J. Enbody, to be postmaster at Dunlap, in the county of Harrison and State of Iowa.

George W. Cook, to be postmaster at Guthrie Center, in the county of Guthrie and State of Iowa.

Barney Johnson, to be postmaster at Ida Grove, in the county of Ida and State of Iowa.

H. J. Vail, to be postmaster at New Sharon, in the county of Mahaska and State of Iowa.

MASSACHUSETTS.

Lorenzo B. Crockett, to be postmaster at North Easton, in the county of Bristol and State of Massachusetts.

William H. Twiss, to be postmaster at Ashland, in the county of Middlesex and State of Massachusetts.

Harding R. Barber, to be postmaster at Athol, in the county of Worcester and State of Massachusetts.

Alexander Grant, to be postmaster at Chicopee, in the county of Hampden and State of Massachusetts.

Charles L. Stevens, to be postmaster at Clinton, in the county of Worcester and State of Massachusetts.

George Abbott, to be postmaster at East Douglass, in the county of Worcester and State of Massachusetts.

MICHIGAN.

Earl B. Hammond, to be postmaster at Vermontville, in the county of Eaton and State of Michigan.

Charles S. Collier, to be postmaster at Frankfort, in the county of Benzie and State of Michigan.

William R. Cook, to be postmaster at Hastings, in the county of Barry and State of Michigan.

Victor F. Huntley, to be postmaster at Manton, in the county of Wexford and State of Michigan.

Martin N. Brady, to be postmaster at Saginaw West Side, in the county of Saginaw and State of Michigan.

Archie R. McKinnon, to be postmaster at Shelby, in the county of Oceana and State of Michigan.

John N. McCall, to be postmaster at Ithaca, in the county of Gratiot and State of Michigan.

Hiram E. Hardy, to be postmaster at Big Rapids, in the county of Mecosta and State of Michigan.

MISSOURI.

August W. Enis, to be postmaster at Clyde, in the county of Nodaway and State of Missouri.

Moses M. Adams, to be postmaster at Seneca, in the county of Newton and State of Missouri.

Thomas M. Morsey, to be postmaster at Warrenton, in the county of Warren and State of Missouri.

David B. Ormiston, to be postmaster at Linneus, in the county of Linn and State of Missouri.

Thomas Sharp, to be postmaster at Wellsville, in the county of Montgomery and State of Missouri.

NEBRASKA.

John F. Nesbit, to be postmaster at Tekamah, in the county of Burt and State of Nebraska.

Lee Van Voorhis, to be postmaster at Crawford, in the county of Dawes and State of Nebraska.

Frank R. Stewart, to be postmaster at Randolph, in the county of Cedar and State of Nebraska.

Stephen E. Cobb, to be postmaster at Emerson, in the county of Dixon and State of Nebraska.

William T. Owens, to be postmaster at Loup, in the county of Sherman and State of Nebraska.

John F. Griffith, to be postmaster at Pawnee City, in the county of Pawnee and State of Nebraska.

NEW HAMPSHIRE.

Herbert Bailey, to be postmaster at Claremont, in the county of Sullivan and State of New Hampshire.

PENNSYLVANIA.

Howard E. Butz, to be postmaster at Huntingdon, in the county of Huntingdon and State of Pennsylvania.

John B. Griffiths, to be postmaster at Jermyn, in the county of Lackawanna and State of Pennsylvania.

W. W. Reber, to be postmaster at Lehigh, in the county of Carbon and State of Pennsylvania.

Nathaniel B. Miller, to be postmaster at North Clarendon, in the county of Warren and State of Pennsylvania.

James N. Weaver, to be postmaster at Sayre, in the county of Bradford and State of Pennsylvania.

Joseph S. Taylor, to be postmaster at Morrisville, in the county of Bucks and State of Pennsylvania.

Herman H. North, to be postmaster at Bradford, in the county of McKean and State of Pennsylvania.

William H. H. Lea, to be postmaster at Carnegie, in the county of Allegheny and State of Pennsylvania.

RHODE ISLAND.

James T. Caswell, to be postmaster at Narragansett Pier, in the county of Washington and State of Rhode Island.

ALASKAN BOUNDARY.

The injunction of secrecy was removed from a convention between the United States and Great Britain, signed on January 24, 1903, providing for the settlement of questions between the two countries with respect to the boundary line between the Territory of Alaska and the British possessions in North America.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 11, 1903.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

HOUSE PENSION BILLS WITH SENATE AMENDMENTS.

The SPEAKER laid before the House bills of the following titles, with amendments of the Senate; which were respectively read, and, on motion of Mr. LOUDENSLAGER, concurred in:

A bill (H. R. 15757) granting a pension to Frances C. Brogan;

A bill (H. R. 6332) granting a pension to Michael Conlon;

A bill (H. R. 14845) granting a pension to Margaret Snyder; and

A bill (H. R. 15400) granting a pension to Enos Turner.

FRANCIS A. TRADEWELL.

The SPEAKER also laid before the House, with amendments of the Senate, the bill (H. R. 16161) granting an increase of pension to Francis A. Tradewell.

The amendments were read.

Mr. LOUDENSLAGER. I move that the House nonconcur with the amendment of the Senate and request a conference.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. RICHARDSON of Alabama as conferees on the part of the House.

PITTSBURG, CARNEGIE AND WESTERN RAILROAD COMPANY.

The SPEAKER laid before the House a privileged bill entitled "A bill (S. 7226) to authorize the Pittsburg, Carnegie and Western Railroad Company to construct, maintain, and operate a bridge across the Allegheny River."

The bill was read.

Mr. DALZELL. A House bill identical in terms with this Senate bill has been favorably reported and is on the Calendar. I ask that this bill be put on its passage.

The bill was ordered to a third reading, read the third time, and passed.

MEMPHIS, HELENA AND LOUISIANA RAILWAY COMPANY.

The SPEAKER also laid before the House a privileged bill entitled "A bill (S. 7159) authorizing the Memphis, Helena and Louisiana Railway Company to construct and maintain a bridge across the St. Francis River, in the State of Arkansas."

The bill was read.

Mr. MCRAE. Mr. Speaker, this bill being identical in terms with a House bill now on our Calendar, reported favorably by the Committee on Interstate and Foreign Commerce, I ask that this bill be taken up and passed.

The bill was ordered to a third reading, read the third time, and passed.

On motion of Mr. MCRAE, a motion to reconsider the vote by which the bill was passed was laid on the table.

EFFICIENCY OF THE ARMY.

Mr. HULL. Mr. Speaker, I submit the report of the committee of conference on the bill (H. R. 15449) to increase the efficiency of the Army. I present this report under the rule, for publication in the RECORD, together with the statement of the House conferees.

The SPEAKER. The report and accompanying statement will be published in the RECORD, under the rule.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 15449) to increase the efficiency of the Army, having met, after full and free conference have agreed to recommend and do recommended to their respective Houses as follows:

That the Senate recede from its amendment numbered 4.